

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BOSTON SCIENTIFIC CORPORATION and
BOSTON SCIENTIFIC SCIMED, INC.,

Plaintiffs/Counter-Defendants,

v.

JOHNSON & JOHNSON,
CORDIS CORPORATION, and WYETH

Defendants/ Counter-Plaintiffs.

**REDACTED
PUBLIC VERSION**

Civil Action No. 07-333-SLR
Civil Action No. 07-348-SLR
Civil Action No. 07-409-SLR

BOSTON SCIENTIFIC CORPORATION and
BOSTON SCIENTIFIC SCIMED, INC.,

Plaintiffs/Counter-Defendants,

v.

JOHNSON & JOHNSON,
CORDIS CORPORATION, and WYETH

Defendants/Counter-Plaintiffs.

Civil Action No. 07-765-SLR

**APPENDIX OF EXHIBITS TO DEFENDANTS/COUNTER-PLAINTIFFS JOHNSON &
JOHNSON AND CORDIS CORPORATION'S OPPOSITION TO PLAINTIFFS' MOTIONS
FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**

Steven J. Balick (I.D. #2114)
John G. Day (I.D. #2403)
Lauren E. Maguire (I.D. #4261)
ASHBY & GEDDES
500 Delaware Avenue, 8th Floor
P.O. Box 1150
Wilmington, Delaware 19899
302-654-1888
sbalick@ashby-geddes.com
jday@ashby-geddes.com
lmaguire@ashby-geddes.com

David T. Pritikin
William H. Baumgartner, Jr.
Russell E. Cass
SIDLEY AUSTIN LLP
1 S. Dearborn Street
Chicago, Illinois 60603
312-853-7000
dpritikin@sidley.com
wbaumgar@sidley.com
rcass@sidley.com

TABLE OF CONTENTS

Document Description	Original	Appendix
REDACTED		
Numbers Not Used		A26-A999
U.S. Patent No. 6,384,046		A1000-A1005
U.S. Patent No 6,440,990		A1006-A1020
U.S. Patent No. 7,217,286		A1021-A1038
U.S. Patent No. 7,223,286		A1039-A1057
U.S. Patent No. 7,229,473		A1058-A1075
U.S. Patent No. 7,300,662		A1076-A1099
Böhler et al., The In Vivo Effect of Rapamycin Derivative SDZ RAD on Lymphocyte Proliferation, <i>Transplantation Proc</i> 1998	2195-2197	A1100-A1102
Ding et al., XIENCE V™ Stent Design and Rationale, <i>J Interven Cardiol</i> 2009	S18-S27	A1103-A1112
Hartford et al., Rapamycin: Something Old, Something New, Sometimes Borrowed and Now Renewed, <i>Clin Pharmacol Ther</i> 2007	381-388	A1113-A1120
Perkins et al., Xience V Everolimus-Eluting Coronary Stent System: A Preclinical Assessment, <i>J of Interventional Cardiol</i> 2009	S28-S40	A1121-A1133
Schuler et al., SDZ RAD, A New Rapamycin Derivative, <i>Transplantation</i> 1997	36-42	A1134-A1143
Serruys et al., A randomised comparison of an everolimus-eluting coronary stent with a paclitaxel-eluting coronary stent: the SPIRIT II trial, <i>EuroIntervention</i> 2006	286-294	A1144-A1152

Document Description	Original Pagination	Appendix Pagination
Serruys et al., A randomized comparison of a durable polymer Everolimus-eluting stent with a bare metal coronary stent: the SPIRIT first trial, <i>EuroIntervention</i> 2005	58-65	A1153-A1160
Stone et al., Comparison of an Everolimus-Eluting Stent and a Paclitaxel-Eluting Stent in Patients with Coronary Artery Disease: A Randomized Trial 2008, <i>J Am Med Assn</i> , 2008	1903-1913	A1161-A1171
Tsuchida et al., One-year results of a durable polymer everolimus-eluting stent in de novo coronary narrowings, <i>Eurointervention</i> , 2005	265-272	A1172-A1178
REDACTED		
November 29, 2007 FDA Panel Meeting Transcript	1, 68-70, 89-91, 97-100	A1205-A1215
List of Abbott Documents Using "Biocompatible" in Accordance with Cordis's Definitions		A1216-A1344
List of Abbott Documents Using "Applied" in Accordance with Cordis's Definitions		A1345-A1393

Document Description	Original Pagination	Appendix Pagination
A Patient Guide for the CYPHER Sirolimus-eluting Coronary Stent	1-32	A1394-A1415
REDACTED		

Document Description	Original Pagination	Appendix Pagination
REDACTED		
FDA Circulatory System Devices Advisory Panel Hearing Transcript	1-100	A2303-A2402
REDACTED		
Number Not Used		A2426-A2448
Xienc V Drug Eluting Stent Fact Sheet	1-3	A2449-A2451
XIENCE™ V Everolimus Eluting Coronary Stent System <i>Instructions for Use</i>	1-60	A2452-A2511
Xienc™ V Patient Information Guide	1-15	A2512-A2530
REDACTED		
Number Not Used		A2535-A2538
REDACTED		
Number Not Used		A2569-A2598
Xienc PMA - Section 12.0 Toxicology & Safety	12-1 – 12-9	A2599-A2607
Number Not Used		A2608-A2616
<i>Curriculum Vitae</i> Of Antonios Mikos	1-134	A2617-A2750
PROMUS™ Everolimus Eluting Coronary Stent System <i>Instructions for Use</i>	1-60	A2751-A2810
REDACTED		
Boston Scientific Press Release re: Boston Scientific Announces FDA Approval for PROMUS™ Everolimus-		A2835-A2837

Document Description	Original Pagination	Appendix Pagination
Eluting Stent System		
REDACTED		
Xience™ V Everolimus Eluting Coronary Stent System Patient Information Guide	1-52	A2882-A2934
The Cypher® Sirolimus-Eluting Coronary Stent - Cypher Patient Information, 2008		A2935
Felton et al., Adhesion of Polymeric Films, Aqueous Polymeric Coatings for Pharmaceutical Dosage Forms, 3 rd Ed., Chapter 6 (2008)	151-170	A2936-A2957
<i>Curriculum Vitae</i> of David M. Sabatini	1-22	A2958-A2979
Sabatini et al., RAFT1: A Mammalian Protein That Binds to FKBP12 in a Rapamycin-Dependent Fashion and is Homologous to Yeast TORs, <i>Cell</i> Vol. 78, July 15, 1994	35-43	A2980-A2990
U.S. Patent No. 6,492,106		A2991-A3037
U.S. Patent No. 6,476,200		A3038-A3078
U.S. Patent No. 6,544,790		A3079-A3098
REDACTED		

A1-25

REDACTED

NUMBERS NOT USED

A26 – A999



US006384046B1

(12) **United States Patent**
Schuler et al.

(10) **Patent No.:** US 6,384,046 B1
(45) **Date of Patent:** May 7, 2002

(54) **USE OF 40-O-(2-HYDROXY)
ETHYLRAPAMYCIN FOR TREATMENT OF
RESTENOSIS AND OTHER DISORDERS**

(75) **Inventors:** Walter Schuler, Grenzach-Wyhlen
(DE); Hendrik J. Schuurman, Basel;
Gisbert Weckbecker, Biel-Benken,
both of (CH); Hans-Günter Zerwes,
Lörrach (DE)

(73) **Assignee:** Novartis AG, Basel (CH)

(*) **Notice:** Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

(21) **Appl. No.:** 09/712,359

(22) **Filed:** Nov. 14, 2000

Related U.S. Application Data

(63) Continuation of application No. 09/155,210, filed as appli-
cation No. PCT/EP97/01548 on Mar. 26, 1997, now aban-
doned.

(30) Foreign Application Priority Data

Mar. 27, 1996 (GB) 9606452

(51) **Int. Cl.⁷** A61K 31/44

(52) **U.S. Cl.** 514/291

(58) **Field of Search** 514/291

(56) References Cited

U.S. PATENT DOCUMENTS

5,362,718 A 11/1994 Skotnicki et al. 514/63
5,516,781 A * 5/1996 Morris et al. 514/291
5,665,772 A * 9/1997 Cottens et al. 514/514

FOREIGN PATENT DOCUMENTS

EP 551 182 7/1993
EP 568 310 11/1993
EP 691 130 1/1996
WO WO 94/09010 4/1994

WO WO 96/41807 12/1996

OTHER PUBLICATIONS

Ikonen et al., "Sirolimus (Rapamycin) Halts and Reverses
Progression of Allograft Vascular Disease in Non-Human
Primates", Transplantation, vol. 70, No. 6, pp. 969-975
(2000).

Matas et al., "Chronic Rejection", J. Am. Soc. Nephrol., vol.
4, Suppl. 1, pp. S23-S29 (1994).

Kahan, "The Potential Role of Rapamycin in Pediatric
Transplantation as Observed from Adult Studies", Pediatr
Transplantation, vol. 3, pp.175-180 (1999).

Sadrani et al., "Chemical Modification of Rapamycin: The
Discovery of SDZ RAD", Transplant. Proc., vol. 30, pp.
2192-2194 (1998).

Fellstrom et al., "Pathogenesis and Treatment Perspectives
of Chronic Graft Rejection (CVR)", Immunological
Reviews, No. 134, pp. 83-98 (1993).

Meiser et al., "Effects of Cyclosporin, FK506, and Rapa-
mycin on Graft-Vessel Disease", Lancet, vol. 388, pp.
1297-1298 (1991).

Gregory et al., "The Use of New Antiproliferative Immu-
nosuppressants is a Novel and Highly Effective Strategy for
the Prevention of Vascular Occlusive Disease", J. Heart
Lung Transpl., vol. 11, Pt. 11, p. 197 (1992).

Morris et al., "Immunosuppressive Effects of the Morpholi-
noethyl Ester of Mycophenolic Acid (RS-61443) in Rat and
Nonhuman Primate Recipients of Heart Allografts", Trans-
plant. Proc., vol. 23, No. 2, Suppl. 2, pp. 19-25 (1991).

* cited by examiner

Primary Examiner—William R. A. Jarvis

(74) *Attorney, Agent, or Firm*—Thomas R. Savitsky; Diane
E. Furman

(57) ABSTRACT

This invention relates to the use of 40-O-(2-hydroxy)ethyl-
rapamycin for the prevention or treatment of neointimal
proliferation and thickening, restenosis, and vascular occlu-
sion following vascular injury.

4 Claims, No Drawings

CORD078518

A1000

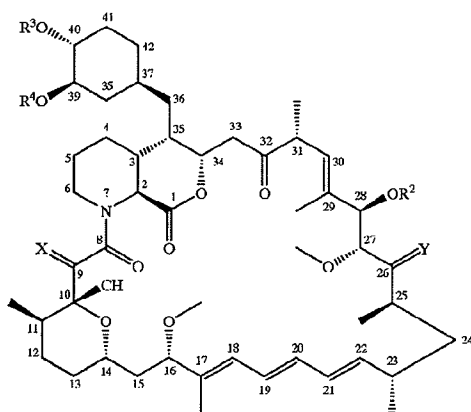
US 6,384,046 B1

1

USE OF 40-O-(2-HYDROXY) ETHYLRAPAMYCIN FOR TREATMENT OF RESTENOSIS AND OTHER DISORDERS

This application is a continuation of Ser. No. 09/155,210, filed Sep. 23, 1998, now abandoned, which is a 371 of PCT/EP97/01548, filed Mar. 26, 1997.

The present invention relates to a new use, in particular a new use for a compound group comprising derivatives of rapamycin, in free form or in pharmaceutically acceptable salt or complex form. Suitable derivatives of rapamycin include e.g. compounds of formula I



wherein

X is (H,H) or O;

Y is (H,OH) or O;

R¹ and R² are independently selected from

H-, alkyl, arylalkyl, hydroxyalkyl, dihydroxyalkyl, hydroxyalkoxycarbonylalkyl, hydroxyalkylarylalkyl, dihydroxyalkylarylalkyl, acyloxyalkyl, aminoalkyl, alkylaminoalkyl, alkoxycarbonylaminoalkyl, acylaminoalkyl, arylsulfonamidoalkyl, allyl, dihydroxyalkylallyl, dioxolanylalkyl, dialkyl-dioxolanylalkyl, di(alkoxycarbonyl)-triazolyl-alkyl and hydroxy-alkoxy-alkyl; wherein "alk-" or "alkyl" is C₁₋₆alkyl, branched or linear; "aryl" is phenyl or tolyl; and acyl is a radical derived from a carboxylic acid; and

R⁴ is methyl or

R⁴ and R¹ together form C₂₋₆alkyl;

provided that R¹ and R² are not both H; and hydroxyalkoxy-alkyl is other than hydroxyalkoxymethyl.

Such compounds are disclosed in WO 94/09010 the contents of which, in particular with respect to the compounds, are incorporated herein by reference.

Acyl as may be present in R₁ or R₂, is preferably R_aCO— wherein R_a is C₁₋₆alkyl, C₂₋₆alkenyl, C₃₋₆cycloalkyl, aryl, aryl C₁₋₆alkyl (wherein aryl is as defined above) or heteroaryl, e.g. a residue derived from a 5 or 6 membered heterocycle comprising N, S or O as a heteroatom and optionally one or two N as further heteroatoms. Suitable heteroaryl include e.g. pyridyl, morpholino, piperazinyl and imidazolyl.

2

Examples of such compounds include:

1. 40-O-Bcnzyl-rapamycin
2. 40-O-(4'-Hydroxymethyl)benzyl-rapamycin
3. 40-O-[4'-(1,2-Dihydroxyethyl)]benzyl-rapamycin
4. 40-O-Allyl-rapamycin
5. 40-O-[3'-(2,2-Dimethyl-1,3-dioxolan-4(S)-yl)-prop-2'-en-1'-yl]-rapamycin
6. (2'E,4'S)-40-O-(4',5'-Dihydroxypent-2'-en-1'-yl)-rapamycin
7. 40-O-(2-Hydroxy)ethoxycarbonylmethyl-rapamycin
8. 40-O-(2-Hydroxy)ethyl-rapamycin
9. 40-O-(3-Hydroxy)propyl-rapamycin
10. 40-O-(6-Hydroxy)hexyl-rapamycin
11. 40-O-[2-(2-Hydroxy)ethoxy]ethyl-rapamycin
12. 40-O-[(3S)-2,2-Dimethyldioxolan-3-yl]methyl-rapamycin
13. 40-O-[(2S)-2,3-Dihydroxyprop-1-yl]-rapamycin
14. 40-O-(2-Acetoxy)ethyl-rapamycin
15. 40-O-(2-Nicotinoyloxy)ethyl-rapamycin
16. 40-O-[2-(N-Morpholino)acetoxy]ethyl-rapamycin
17. 40-O-(2-N-Imidazolylacetoxy)ethyl-rapamycin
18. 40-O-[2-(N-Methyl-N'-piperazinyl)acetoxy]ethyl-rapamycin
19. 39-O-Desmethyl-39,40-O₂O-ethylene-rapamycin
20. (26R)-26-Dihydro-40-O-(2-hydroxy)ethyl-rapamycin
21. 28-O-Methyl-rapamycin
22. 40-O-(2-Aminoethyl)-rapamycin
23. 40-O-(2-Acetaminoethyl)-rapamycin
24. 40-O-(2-Nicotinamidoethyl)-rapamycin
25. 40-O-(2-(N-Methyl-imidazo-2'-ylcarboxamido)ethyl)-rapamycin
26. 40-O-(2-Ethoxycarbonylaminoethyl)-rapamycin
27. 40-O-(2-Tolylsulfonamidoethyl)-rapamycin
28. 40-O-[2-(4',5'-Dicarboethoxy-1',2',3'-triazol-1'-yl)-ethyl]-rapamycin

A preferred compound is e.g. 40-O-(2-hydroxy)ethyl-rapamycin (referred thereafter as Compound A).

Compounds of formula I have, on the basis of observed activity, e.g. binding to macrophilin-12 (also known as FK-506 binding protein or FKBP-12), e.g. as described in WO 94/09010, been found to be useful e.g. as immunosuppressants, e.g. in the treatment of acute allograft rejection.

Organ transplants of liver, kidney, lung and heart are now regularly performed as treatment for endstage organ disease. Because of the current shortage of human donors for transplantable allografts, attention has focused on the possibility of using xenografts (transplants between species) in transplantation. One of the major obstacles in transplanting successfully xenografts in humans is immunological.

A further obstacle in allo- and xenotransplantation is the chronic rejection and thus organ transplantation is not yet a clinically viable solution to irreversible organ disease.

Chronic rejection, which manifests as progressive and irreversible graft dysfunction, is the leading cause of organ transplant loss, in some cases already after the first postoperative year. The clinical problem of chronic rejection is clear from transplantation survival times; about half of kidney allografts are lost within 5 years after transplantation, and a similar value is observed in patients with heart allografts.

Chronic rejection is considered as a multifactorial process in which not only the immune reaction towards the graft but also the response of the blood vessel walls in the grafted organ to injury ("response-to-injury" reaction) plays a role.

CORD078519

A1001

US 6,384,046 B1

3

The variant of chronic rejection with the worst prognosis is an arteriosclerosis-like alteration, also called transplant vasculopathy, graft vessel disease, graft arteriosclerosis, transplant coronary disease, etc. This vascular lesion is characterized by migration and proliferation of smooth muscle cells, probably under influence of growth factors that are amongst others synthesized by endothelial cells. This leads to intimal proliferation and thickening, smooth muscle cell hypertrophy repair, and finally to gradual luminal obliteration (vascular remodelling). It appears to progress also through repetitive endothelial injury induced amongst others by host antibody or antigen-antibody complexes; also so-called non-immunological factors like hypertension, hyperlipidemia, hypercholesterolemia etc. play a role.

Chronic rejection appears to be inexorable and uncontrollable because there is no known effective treatment or prevention modality. Thus, there continues to exist a need for a treatment effective in preventing, controlling or reversing manifestations of chronic graft vessel diseases.

There also continues to exist a need to prevent or treat restenosis or vascular occlusions as a consequence of proliferation and migration of intimal smooth muscle cell, e.g. induced by vascular surgeries such as angioplasty.

In accordance with the present invention, it has now surprisingly been found that compounds of formula I inhibit vasculopathies such as vascular remodelling and are particularly indicated to prevent or combat chronic rejection in a transplanted organ.

In accordance with the particular findings of the present invention, there is provided:

1. A method for preventing or treating neointimal proliferation and thickening in a subject in need thereof, comprising administering to said subject a therapeutically effective amount of a compound of formula I.

In a series of further specific or alternative embodiments, the present invention also provides:

- 2.1. A method for preventing or combating manifestations of chronic rejection in a recipient of organ or tissue transplant comprising the step of administering to said recipient a therapeutically effective amount of a compound of formula I.

- 2.2. A method for preventing or combating graft vessel diseases, e.g. transplant vasculopathies, arteriosclerosis or atherosclerosis, in a recipient of organ or tissue transplant, comprising the step of administering to said recipient a therapeutically effective amount of a compound of formula I.

By manifestations of chronic rejection are meant the conditions resulting from the immune reaction towards the graft and the response of the blood vessel walls in the grafted organ or tissue as indicated above. Compounds of formula I are useful for reducing chronic rejection manifestations or for ameliorating the conditions resulting from chronic rejection.

The organ or tissue transplantation may be performed from a donor to a recipient of a same or different species. Among such transplanted organs or tissues and given illustratively are heart, liver, kidney, spleen, lung, small bowel, and pancreas, or a combination of any of the foregoing.

In a further or alternative embodiment the invention provides:

3. A method for preventing or treating intimal smooth muscle cell proliferation and migration, e.g. restenosis, and/or vascular occlusion following vascular injury, e.g. angioplasty, in a subject in need thereof, comprising administering to said subject a therapeutically effective amount of a compound of formula I.

4

In a further or alternative embodiment, the present invention also provides:

4. A method for preventing or combating acute or chronic rejection in a recipient of organ or tissue xenograft transplant comprising administering to said recipient a therapeutically effective amount of a compound of formula I.

Xenograft organ or tissue transplants include e.g. heart, liver, kidney, spleen, lung, small bowel, pancreatic (complete or partial, e.g. Langerhans islets), skin and bone marrow xenografts.

As alternative to the above the present invention also provides:

5. A compound of formula I for use in any method as defined under 1 to 4 above; or

6. A compound of formula I for use in the preparation of a pharmaceutical composition for use in any method as defined under 1 to 4 above; or

7. A pharmaceutical composition for use in any method as defined under 1 to 4 above comprising a compound of formula I together with one or more pharmaceutically acceptable diluents or carriers therefor.

Utility of the compounds of formula I in treating diseases and conditions as hereinabove specified, may be demonstrated in animal tests, for example in accordance with the methods hereinafter described.

A. Chronic Allograft Rejection

The kidney of a male DA (RT1^a) rat is orthotopically transplanted into a male Lewis (RT1^k) recipient. In total 24 animals are transplanted. All animals are treated with cyclosporine A at 7.5 mg/kg/day per os for 14 days starting on the day of transplantation, to prevent acute cellular rejection. Contralateral nephrectomy is not performed. Each experimental group treated with a distinct dose of a compound of formula I or placebo comprises six animals.

Starting at day 53-64 after transplantation, the recipient animals are treated per os for another 69-72 days with a compound of formula I or receive placebo. At 14 days after transplantation animals are subjected to graft assessment by magnetic resonance imaging (MRI) with perfusion measurement of the kidneys (with comparison of the grafted kidney and the own contralateral kidney). This is repeated at days 53-64 after transplantation and at the end of the experiment. The animals are then autopsied. Rejection parameters such as MRI score, relative perfusion rate of the grafted kidney and histologic score of the kidney allograft for cellular rejection and vessel changes are determined and statistically analyzed. Administration of a compound of formula I, e.g. Compound A, at a dose of 0.5 to 2.5 mg/kg in this rat kidney allograft model yields a reduction in all above mentioned rejection parameters. In this assay, animals treated per os with 2.5 mg/kg/day of Compound A have a significantly lower MRI score of rejection, histologic score for cellular rejection and vessel changes and a significantly lower reduction in perfusion rate assessed by MRI than the animals of the placebo group.

B. Aorta Transplantation

In this model of aorta transplantation in the rat, an allogeneic response to the graft does not destroy the graft, but it evokes pathological changes resembling those of chronic rejection in clinical transplantation. These include infiltration into the adventitia of mononuclear cells (lymphocytes, macrophages, some plasma cells), and thickening of the intima.

Donor aorta between the branch of the renal artery and the start of the caudal mesenteric aorta, about 1 cm in length, is harvested from a male DA (RT1^a) rat and transplanted

CORD078520

A1002

US 6,384,046 B1

5

orthotopically in a male Lewis (RT1¹) rat. Weekly after transplantation, the body weight is recorded. At autopsy, the graft with part of the aorta of the recipient just above and below the transplant is removed. It is perfused *ex vivo* with phosphate-buffered saline supplemented with 2% paraformaldehyde and 2.5% glutaraldehyde for about 2 minutes, then for 24 hours fixed by immersion fixation in the same solution, and thereafter fixed in 4% buffered formalin. Pieces of the graft are embedded in paraffin, in such a way that both a transversal section and a longitudinal section is made of the grafted aorta and the recipient's own aorta.

Sections of 4 μ m thickness are stained by hematoxylin-eosin, elastica-von-Gieson and periodic-acid-Schiff. Apart from conventional light microscopy, images are recorded by confocal laser scanning microscopy. From each section, four areas are scanned, and from each area the thickness of the intima and intima+media is measured at five locations.

At autopsy, weight and histology is performed for thymus, spleen, liver, kidney, testes and seminal vesicles.

A first experiment includes 4 groups, each comprising 4 animals. In one group isogenic transplantations (Lewis to Lewis) are performed, and animals receive a placebo microemulsion, the other groups comprise allogeneic transplantations, and animals receive *per os* either placebo microemulsion or a compound of formula I in microemulsion at 2.5 mg/kg/day. The experiment is terminated at 7 weeks after transplantation.

A second experiment includes 4 groups, each comprising 4 animals. In all cases allogeneic transplants are performed, and animals receive *per os* either placebo microemulsion or a compound of formula I in microemulsion at 0.63, 1.25, 2.5 or 5.0 mg/kg/day. The experiment is terminated 11 weeks after transplantation.

In both experiments, the compounds of formula I, particularly Compound A significantly inhibit graft infiltration and neointima formation.

C. Angioplasty

Studies on angioplasty are done in the model of balloon catheter injury: Balloon catheterization is performed on day 0, essentially as described by Powell et al. (1989). Under Isoflurane anaesthesia, a Fogarty 2F catheter is introduced into the left common carotid artery via the external carotid and inflated (distension=10 μ l H₂O). The inflated balloon is withdrawn along the length of the common carotid three times, the latter two times whilst twisting gently to obtain a uniform de-endothelialization. The catheter is then removed, a ligature placed around the external carotid to prevent bleeding and the animals allowed to recover.

2 groups of 12 RoRo rats (400 g, approximately 24 weeks old) are used for the study: one control group and one group receiving the compound of formula I. The rats are fully randomized during all handling, experimental procedures and analysis.

The compound to be tested is administered *p.o.* (gavage) starting 3 days before balloon injury (day -3) until the end of the study, 14 days after balloon injury (day +14). Rats are kept in individual cages and allowed food and water *ad libitum*.

The rats are then anaesthetized with Isoflurane, a perfusion catheter inserted through the left ventricle and secured in the aortic arch, and an aspiration cannula inserted into the right ventricle. Animals are perfused under a perfusion pressure of 150 mmHg, firstly for 1 min. with 0.1 M phosphate buffered saline solution (PBS, pH 7.4) and then for 15 min. with 2.5 % glutaraldehyde in phosphate buffer (pH 7.4). The perfusion pressure is 150 mmHg at the tip of the cannula (=100 mmHg in the carotid artery), as deter-

6

mined in a preliminary experiment by introducing a cannula attached to a pressure transducer into the external carotid). Carotid arteries are then excised, separated from surrounding tissue and immersed in 0.1 M cacodylate buffer (pH 7.4) containing 7% saccharose and incubated overnight at 4° C. The following day the carotids are immersed and shaken for 1 h at room temperature in 0.05% KMnO₄ in 0.1 M cacodylate. The tissues are then dehydrated in a graded ethanol series; 2x10 min in 75%, 2x10 min in 85%, 3x10 min in 95% and 3x10 min in 100% ethanol. The dehydrated carotids are then embedded in Technovit 7100 according to the manufacturers recommendation. The embedding medium is left to polymerize overnight in an exsiccator under argon, since oxygen is found to inhibit proper hardening of the blocks.

Sections 1-2 μ m thick are cut from the middle section of each carotid with a hard metal knife on a rotary microtome and stained for 2 min with Giemsa stain. About 5 sections from each carotid are thus prepared and the cross-sectional area of the media, neointima and the lumen morphometrically evaluated by means of an image analysis system (MCID, Toronto, Canada).

In this assay, the compounds of formula I inhibit myointimal proliferation when administered *per os* at a daily dose of from 0.5 to 2.5 mg/kg. Intimal thickening is significantly less in the vessels of the rats that receive Compound A compared to the control animals, e.g. at 0.5 mg/kg statistical inhibition of neointima formation of 50%, at 2.5 mg/kg significant inhibition of 75%.

D. In vivo Heart Xenotransplantation (Hamster-to-rat)

The hamster-into-rat xenograft combination is a so-called difficult concordant combination. Rats do not have natural anti-hamster antibody in sufficient amounts to yield immediate hyperacute rejection as observed in concordant combinations; however, rejection in untreated recipients occurs within 3-4 days, by antibodies in combination with complement. This is visualized in histology by destruction of blood vessels, exsudation and extravasation of erythrocytes, and influx by polymorpho-nuclear granulocytes; often there are signs of hemorrhage and thrombosis. Once this rejection has been overcome by effective inhibition of antibody synthesis or complement inactivation, a cellular rejection can emerge later on. This is visualized in histology by influx of mononuclear cells, including lymphocytes, lymphoblastoid cells, and macrophages, and destruction of the myocyte parenchyma. The inhibition of cellular rejection requires more immuno-suppression than that of allografts. Congenitally athymic (rnu/rnu) rats lack a competent (thymus-dependent) cellular immune system and generally are unable to reject allografts. Such animals do reject a hamster xenograft within 3-4 days in a similar fashion as euthymic rats, indicative that (at least part of) anti-hamster antibody synthesis in rats occurs following a thymus-independent B-cell response. Such recipients are useful in hamster xenografting to evaluate rejection by thymus-independent antibody-mediated rejection.

The heart of a Syrian hamster is heterotopically transplanted in the abdomen of a male Lewis (RT1¹) rat with anastomoses between the donor and recipient's aorta and the donor right pulmonary artery to the recipient's inferior vena cava. The graft is monitored daily by palpation of the abdomen. Rejection is concluded in case of cessation of heart beat. Animals are weighed weekly. In the present series of experiments, the endpoint is set to 28 days. Animals are subjected to autopsy; apart from the graft, weight and histology is assessed for thymus, spleen, liver, seminal vesicles and testes. Blood is taken and processed to serum

CORD078521

A1003

US 6,384,046 B1

7

for the determination of cytolytic anti-hamster erythrocyte antibody and hemolytic complement activity.

In this assay, compounds of formula I, e.g. Compound A, result in prolonged graft survival, in both athymic and euthymic recipients.

Daily dosages required in practicing the method of the present invention will vary depending upon, for example, the compound of formula I employed, the host, the mode of administration and the severity of the condition to be treated. A preferred daily dosage range is about from 0.25 to 25 mg as a single dose or in divided doses.

Suitable daily dosages for patients are on the order of from e.g. 0.2 to 25 mg p.o. preferably 5 to 25. The compounds of formula I may be administered by any conventional route, in particular enterally, e.g. orally, e.g. in the form of tablets, capsules, drink solutions, nasally, pulmonary (by inhalation) or parenterally, e.g. in the form of injectable solutions or suspensions. Suitable unit dosage forms for oral administration comprise from ca. 0.05 to 12.5 mg, usually 1 to 10 mg active ingredient, e.g. Compound A, together with one or more pharmaceutically acceptable diluents or carriers therefor.

When used to prevent or treat chronic rejection or xenotransplant rejection as hereinabove specified the compounds of formula I may be administered as the sole active ingredient or together with other drugs in immunomodulating regimens. For example, the compounds of formula I may be used in combination with cyclosporins or ascomycins, or their immunosuppressive analogs, e.g. cyclosporin A, cyclosporin G, FK-506, etc.; corticosteroids; cyclophosphamide; azathioprine; methotrexate; brequinar; leflunomide; mizoribine; mycophenolic acid; mycophenolate mofetil; 15-deoxyspergualine, immunosuppressive monoclonal antibodies, e.g., monoclonal antibodies to leukocyte receptors, e.g., MHC, CD2, CD3, CD4, CD7, CD25, CD28, B7, CD45, or CD58 or their ligands; or other immunomodulatory compounds, e.g. CTLA41 g.

Where the compounds of formula I are administered in conjunction with other immunosuppressive/immunomodulatory therapy, e.g. for preventing or treating chronic rejection or xenotransplant rejection as hereinabove specified, dosages of the co-administered immunosuppressant or immuno-modulatory compound will of course vary depending on the type of co-drug employed, e.g. whether it is a steroid or a cyclosporin, on the specific drug employed, on the condition being treated, and so forth. In accordance with the foregoing the present invention provides in a yet further aspect:

8

8. A method as defined above comprising co-administration, e.g. concomitantly or in sequence, of a therapeutically effective amount of a compound of formula I and a second drug substance, said second drug substance being an immunosuppressant or immunomodulatory drug, e.g. as indicated above.

FORMULATION EXAMPLE

Capsules

Ethanol	20.0 mg
1,2-propylene glycol	81.0 mg
Refined oil	121.5 mg
Cremophor RH40	202.5 mg
Compound A	20.0 mg
Total	500 mg

Compounds of formula I are well tolerated at dosages required for use in accordance with the present invention. For example, the NTEL for Compound A in a 4-week toxicity study is 0.5 mg/kg/day in rats and 1.5 mg/kg/day in monkeys.

What is claimed is:

1. A method for preventing or treating:

neointimal proliferation and thickening and/or restenosis and/or vascular occlusion following vascular injury comprising administering to a subject in need thereof an effective amount of 40-O-(2-hydroxy)ethyl-rapamycin.

2. A method according to claim 1 for preventing or treating neointimal proliferation and thickening.

3. A method according to claim 1 for preventing or treating restenosis and/or vascular occlusion following vascular injury.

4. A method according to claim 1 for preventing or treating vascular occlusion following vascular injury.

* * * * *

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,384,046 B1
DATED : May 7, 2002
INVENTOR(S) : Schuler et al.

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

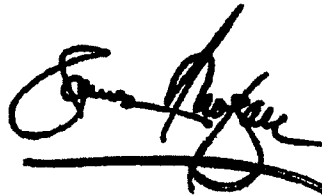
Title page.

Item [54], should read: -- **USE OF 40-O-(2-HYDROXY)ETHYLRAPAMYCIN
FOR TREATMENT OF RESTENOSIS AND OTHER DISORDERS** --.

Signed and Sealed this

Twenty-second Day of October, 2002

Attest:

A handwritten signature in black ink, appearing to read "James E. Rogan", written over a horizontal line.

Attesting Officer

JAMES E. ROGAN
Director of the United States Patent and Trademark Office

CORD078523

A1005



US006440990B1

(12) **United States Patent**
Cottens et al.

(10) **Patent No.:** US 6,440,990 B1
(45) **Date of Patent:** *Aug. 27, 2002

(54) **O-ALKYLATED RAPAMYCIN DERIVATIVES
AND THEIR USE, PARTICULARLY AS
IMMUNOSUPPRESSANTS**

(75) **Inventors:** Sylvain Cottens, Witterswil; Richard
Sedrani, Basel, both of (CH)

(73) **Assignee:** Novartis AG, Basel (CH)

(*) **Notice:** Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 0 days.

This patent is subject to a terminal dis-
claimer.

(21) **Appl. No.:** 08/862,911

(22) **Filed:** May 23, 1997

Related U.S. Application Data

(62) Division of application No. 08/416,673, filed as application
No. PCT/EP93/02604 on Sep. 24, 1993, now Pat. No.
5,665,772.

(30) **Foreign Application Priority Data**

Oct. 9, 1992 (GB) 9221220

(51) **Int. Cl.⁷** A61K 31/436; C07D 491/10

(52) **U.S. Cl.** 514/291; 540/456

(58) **Field of Search** 540/456; 514/291

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,120,842 A	6/1992	Failli et al.	540/542
5,151,413 A	9/1992	Caufield et al.	514/63
5,258,389 A	11/1993	Goulet et al.	514/291
5,302,584 A *	4/1994	Kao et al.	514/80
5,310,903 A *	5/1994	Goulet et al.	540/456
5,378,836 A *	1/1995	Kao et al.	540/456
5,527,907 A *	6/1996	Or et al.	540/456
5,540,931 A *	7/1996	Hewitt et al.	424/434
5,912,253 A *	6/1999	Cottens et al.	514/291

* cited by examiner

Primary Examiner—Bruck Kifle

(74) *Attorney, Agent, or Firm*—Gabriel Lopez; Melvyn M.
Kassenoff; Diane E. Furman

(57) **ABSTRACT**

Novel derivatives of rapamycin, particularly 9-deoxo-
rapamycins, 26-dihydro-rapamycins, and 40-O-substituted
and 28,40-O,O-disubstituted rapamycins. are found to have
pharmaceutical utility, particularly as immunosuppressants.

35 Claims, No Drawings

US 6,440,990 B1

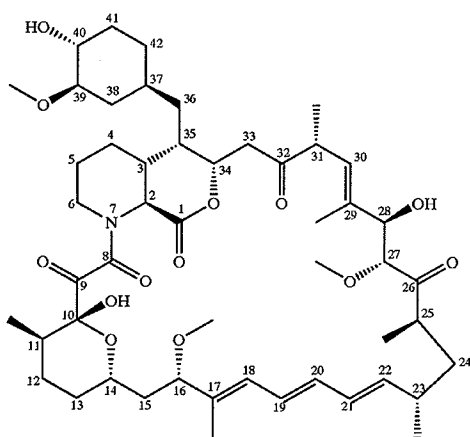
1

O-ALKYLATED RAPAMYCIN DERIVATIVES AND THEIR USE, PARTICULARLY AS IMMUNOSUPPRESSANTS

This is a division of application Ser. No. 08/416,673, filed Apr. 7, 1995 and now U.S. Pat. No. 5,665,772, which is a 371 of International Application No. PCT/EP93/02604, filed Sep. 24, 1993.

This invention comprises novel alkylated derivatives of rapamycin having pharmaceutical utility especially as immunosuppressants.

Rapamycin is a known macrolide antibiotic produced by *Streptomyces hygroscopicus* having the structure depicted in Formula A:

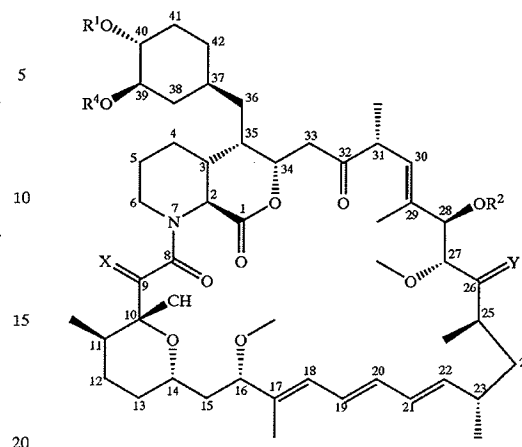


See, e.g., McAlpine, J. B., et al., J. Antibiotics (1991) 44: 688; Schreiber, S. L., et al., J. Am. Chem. Soc. (1991) 113: 7433; U.S. Pat. No. 3,929,992. Rapamycin is an extremely potent immunosuppressant and has also been shown to have antitumor and antifungal activity. Its utility as a pharmaceutical, however, is restricted by its very low and variable bioavailability as well as its high toxicity. Moreover, rapamycin is highly insoluble, making it difficult to formulate stable galenic compositions.

It has now surprisingly been discovered that certain novel derivatives of rapamycin (the Novel Compounds) have an improved pharmacologic profile over rapamycin, exhibit greater stability and bioavailability, and allow for greater ease in producing galenic formulations. The Novel Compounds are alkylated derivatives of rapamycin having the structure of Formula I:

2

(I)



(A) wherein

X is (H,H) or O;

Y is (H,OH) or O;

R¹ and R² are independent selected from

H, alkyl, thioalkyl, arylalkyl, hydroxyalkyl, dihydroxyalkyl, hydroxyalkylarylalkyl, dihydroxyalkylarylalkyl, alkoxyalkyl, acyloxyalkyl, aminoalkyl, alkylaminoalkyl, alkoxycarbonylaminoalkyl, acylaminoalkyl, arylsulfonamidoalkyl, allyl, dihydroxyalkylallyl, dioxolanylallyl, carbalkoxyalkyl, and (R³)₃Si where each R³ is independently selected from H, methyl, ethyl, isopropyl, t-butyl, and phenyl; wherein "alkyl" or "alky-" refers to C₁₋₆ alkyl branched or linear preferably C₁₋₃ alkyl, in which the carbon chain may be optionally interrupted by an ether (-O-) linkage; and

R⁴ is methyl or R⁴ and R¹ together form C₂₋₅ alkylene; provided that R¹ and R² are not both H; and

provided that where R¹ is (R³)₃Si or carbalkoxyalkyl, X and Y are not both O.

Preferred Novel Compounds include the following:

1. 40-O-Benzyl-rapamycin
2. 40-O-(4'-Hydroxymethyl)benzyl-rapamycin
3. 40-O-[4'-(1,2-Dihydroxyethyl)]benzyl-rapamycin
4. 40-O-Allyl-rapamycin
5. 40-O-[3'-(2,2-Dimethyl-1,3-dioxolan-4(S)-yl)-prop-2'-en-1'-yl]-rapamycin
6. (2'E, 4'S)-40-O-(4',5'-Dihydroxypent-2'-en-1'-yl)-rapamycin
7. 40-O-(2-Hydroxy)ethoxycarbonylmethyl-rapamycin
8. 40-O-(2-Hydroxy)ethyl-rapamycin
9. 40-O-(3-Hydroxy)propyl-rapamycin
10. 40-O-(6-Hydroxy)hexyl-rapamycin
11. 40-O-[2-(2-Hydroxy)ethoxy]ethyl-rapamycin
12. 40-O-[(3S)-2,2-Dimethyldioxolan-3-yl]methyl-rapamycin

US 6,440,990 B1

3

13. 40-O-[(2S)-2,3-Dihydroxyprop-1-yl]-rapamycin
14. 40-O-(2-Acetoxy)ethyl-rapamycin
15. 40-O-(2-Nicotinoyloxy)ethyl-rapamycin
16. 40-O-[2-(N-Morpholino)acetoxy]ethyl-rapamycin
17. 40-O-(2-N-Imidazolylacetoxy)ethyl-rapamycin
18. 40-O-[2-(N-Methyl-N'-piperazinyl)acetoxy]ethyl-rapamycin
19. 39-O-Desmethyl-39,40-O,O-ethylene-rapamycin
20. (26R)-26-Dihydro-40-O-(2-hydroxy)ethyl-rapamycin
21. 28-O-Methyl-rapamycin
22. 40-O-(2-Aminoethyl)-rapamycin
23. 40-O-(2-Acetaminoethyl)-rapamycin
24. 40-O-(2-Nicotinamidoethyl)-rapamycin
25. 40-O-[2-(N-Methyl-imidazo-2'-ylcarbathoxamido)ethyl]-rapamycin
26. 40-O-(2-Ethoxycarbonylaminoethyl)-rapamycin
27. 40-(2-Tolylsulfonamidoethyl)-rapamycin
28. 40-O-[2-(4',5'-Dicarboethoxy-1',2',3'-triazol-1'-yl)-ethyl]-rapamycin

The Novel Compounds for immunosuppressive use are preferably the 40-O-substituted rapamycins where X and Y are both O, R² is H, R⁴ is methyl, and R¹ is other than H; most preferably where R¹ is selected from hydroxyalkyl, hydroxyalkoxyalkyl, acylaminoalkyl, and aminoalkyl; especially 40-O-(2-hydroxy)ethyl-rapamycin, 40-O-(3-hydroxy)propyl-rapamycin, 40-O-[2-(2-hydroxy)ethoxy]ethyl-rapamycin, and 40-O-(2-acetaminoethyl)-rapamycin.

Preferably, O-substitution at C40 or O,O-disubstitution at C28 and C40 is performed according to the following general process: Rapamycin (or dihydro or deoxorapamycin) is reacted with an organic radical attached to a leaving group (e.g., RX where R is the organic radical, e.g., an alkyl, allyl, or benzyl moiety, which is desired as the O-substituent, and X is the leaving group, e.g., CCl₃C(NH)O or CF₃SO₃) under suitable reaction conditions, preferably acidic or neutral conditions, e.g., in the presence of an acid like trifluoromethanesulfonic acid, camphorsulfonic acid, p-toluenesulfonic acid or their respective pyridinium or substituted pyridinium salts when X is CCl₃C(NH)O or in the presence of a base like pyridine, a substituted pyridine, diisopropylethylamine or pentamethylpiperidine when X is CF₃SO₃. O-substitutions at C28 only are accomplished in the same manner but with prior protection at C40. Further modifications are possible. For example, where the substituent is allyl, the isolated monosubstituted double bond of the allyl moiety is highly amenable to further modification.

The 9-deoxorapamycin compounds are preferably produced by reducing a rapamycin using hydrogen sulfide, by reacting rapamycin with diphenyldiselenide and tributylphosphine or by other suitable reduction reaction.

The 26-dihydro-rapamycins are preferably produced by reducing rapamycins or 9-deoxorapamycins from keto to hydroxy at C26 by a mild reduction reaction, such as a borohydride reduction reaction.

The Novel Compounds are particularly useful for the following conditions:

- a) Treatment and prevention of organ or tissue transplant rejection, e.g. for the treatment of recipients of e.g. heart, lung, combined heart-lung, liver, kidney, pancreatic, skin or corneal transplants. They are also indicated for the prevention of graft-versus-host disease, such as following bone marrow transplantation.
- b) Treatment and prevention of autoimmune disease and of inflammatory conditions in particular inflammatory

4

conditions with an etiology including an autoimmune component such as arthritis (for example rheumatoid arthritis, arthritis chronica progrediente and arthritis deformans) and rheumatic diseases. Specific autoimmune diseases for which the compounds of the invention may be employed include, autoimmune hematological disorders (including e.g. hemolytic anaemia, aplastic anaemia, pure red cell anaemia and idiopathic thrombocytopenia), systemic lupus erythematosus, polychondritis, sclerodoma, Wegener granulomatosis, dermatomyositis, chronic active hepatitis, myasthenia gravis, psoriasis, Steven-Johnson syndrome, idiopathic sprue, autoimmune inflammatory bowel disease (including e.g. ulcerative colitis and Crohn's disease) endocrine ophthalmopathy, Graves disease, sarcoidosis, multiple sclerosis, primary biliary cirrhosis, juvenile diabetes (diabetes mellitus type I), uveitis (anterior and posterior), keratoconjunctivitis sicca and vernal keratoconjunctivitis, interstitial lung fibrosis, psoriatic arthritis, glomerulonephritis (with and without nephrotic syndrome, e.g. including idiopathic nephrotic syndrome or minimal change nephropathy) and juvenile dermatomyositis.

- c) Treatment and prevention of asthma.
- d) Treatment of multi-drug resistance (MDR). The Novel Compounds suppress P-glycoproteins (Pgp), which are the membrane transport molecules associated with MDR. MDR is particularly problematic in cancer patients and AIDS patients who will not respond to conventional chemotherapy because the medication is pumped out of the cells by Pgp. The Novel Compounds are therefore useful for enhancing the efficacy of other chemotherapeutic agents in the treatment and control of multidrug resistant conditions such as multidrug resistant cancer or multidrug resistant AIDS.
- e) Treatment of proliferative disorders, e.g. tumors, hyperproliferative skin disorder and the like.
- f) Treatment of fungal infections.
- g) Treatment and prevention of inflammation, especially in potentiating the action of steroids.
- h) Treatment and prevention of infection, especially infection by pathogens having Mip or Mip-like factors.
- i) Treatment of overdoses of FK-506, rapamycin, immunosuppressive Novel Compounds, and other macrophilin binding immunosuppressants.

The invention thus provides the Novel Compounds described herein, for use as novel intermediates or as pharmaceuticals, methods of treating or preventing the above-described disorders by administering an effective amount of a Novel Compound to a patient in need thereof, use of a Novel Compound in the manufacture of a medication for treatment or prevention of the above-described disorders, and pharmaceutical compositions comprising a Novel Compound in combination or association with a pharmaceutically acceptable diluent or carrier.

Most of the Novel Compounds described herein are highly immunosuppressive, especially those Novel Compounds which are O-substituted at C40, and these Novel Compounds are particularly useful in indications a and b, but not in indication i. Those of the Novel Compounds which are less immunosuppressive, especially those which are O-substituted at C28 only, are particularly useful in indications h and i, but are less preferred in indications a or b.

The Novel Compounds are utilized by administration of a pharmaceutically effective dose in pharmaceutically

US 6,440,990 B1

5

acceptable form to a subject in need of treatment. Appropriate dosages of the Novel Compounds will of course vary, e.g. depending on the condition to be treated (for example the disease type or the nature of resistance), the effect desired and the mode of administration.

In general however satisfactory results are obtained on administration orally at dosages on the order of from 0.05 to 5 or up to 10 mg/kg/day, e.g. on the order of from 0.1 to 2 or up to 7.5 mg/kg/day administered once or, in divided doses 2 to 4× per day, or on administration parenterally, e.g. intravenously, for example by i.v. drip or infusion, at dosages on the order of from 0.01 to 2.5 up to 5 mg/kg/day, e.g. on the order of from 0.05 or 0.1 up to 1.0 mg/kg/day. Suitable daily dosages for patients are thus on the order of 500 mg p.o., e.g. on the order of from 5 to 100 mg p.o., or on the order of from 0.5 to 125 up to 250 mg i.v., e.g. on the order of from 2.5 to 50 mg i.v.

Alternatively and even preferably, dosaging is arranged in patient specific manner to provide pre-determined trough blood levels, e.g. as determined by RIA technique. Thus patient dosaging may be adjusted so as to achieve regular on-going trough blood levels as measured by RIA on the order of from 50 or 150 up to 500 or 1000 ng/ml, i.e. analogously to methods of dosaging currently employed for Ciclosporin immunosuppressive therapy.

The Novel Compounds may be administered as the sole active ingredient or together with other drugs. For example, in immunosuppressive applications such as prevention and treatment of graft vs. host disease, transplant rejection, or autoimmune disease, the Novel Compounds may be used in combination with Ciclosporin, FK-506, or their immunosuppressive derivatives; corticosteroids; azathioprene; immunosuppressive monoclonal antibodies, e.g., monoclonal antibodies to CD3, CD4, CD25, CD28, or CD45; and 7 or other immunomodulatory compounds. For anti-inflammatory applications, the Novel Compounds can be used together with anti-inflammatory agents, e.g., corticosteroids. For anti-infective applications, the Novel Compounds can be used in combination with other anti-infective agents, e.g., anti-viral drugs or antibiotics.

The Novel Compounds are administered by any conventional route, in particular enterally, e.g. orally, for example in the form of solutions for drinking, tablets or capsules or parenterally, for example in the form of injectable solutions or suspensions. Suitable unit dosage forms for oral administration comprise, e.g. from 1 to 50 mg of a compound of the invention, usually 1 to 10 mg. Pharmaceutical compositions comprising the novel compounds may be prepared analogously to pharmaceutical compositions comprising rapamycin, e.g., as described in EPA 0 041 795, which would be evident to one skilled in the art.

The pharmacological activity of the Novel Compounds are demonstrated in, e.g., the following tests:

1. Mixed Lymphocyte Reaction (MLR)

The Mixed Lymphocyte Reaction was originally developed in connection with allografts, to assess the tissue compatibility between potential organ donors and recipients, and is one of the best established models of immune reaction in vitro. A murine model MLR, e.g., as described by T. Meo in "Immunological Methods", L. Lefkovits and B. Perlis, Eds., Academic Press, N.Y. pp. 227-239 (1979), is used to demonstrate the immunosuppressive effect of the Novel

6

Compounds. Spleen cells (0.5×10^6) from Balb/c mice (female, 8-10 weeks) are co-incubated for 5 days with 0.5×10^6 irradiated (2000 rads) or mitomycin C treated spleen cells from CBA mice (female, 8-10 weeks). The irradiated allogeneic cells induce a proliferative response in the Balb/c spleen cells which can be measured by labeled precursor incorporation into the DNA. Since the stimulator cells are irradiated (or mitomycin C treated) they do not respond to the Balb/c cells with proliferation but do retain their antigenicity. The antiproliferative effect of the Novel Compounds on the Balb/c cells is measured at various dilutions and the concentration resulting in 50% inhibition of cell proliferation (IC_{50}) is calculated. The inhibitory capacity of the test sample may be compared to rapamycin and expressed as a relative IC_{50} (i.e. IC_{50} test sample/ IC_{50} rapamycin).

2. IL-6 Mediated Proliferation

The capacity of the Novel Compounds to interfere with growth factor associated signalling pathways is assessed using an interleukin-6 (IL-6)-dependent mouse hybridoma cell line. The assay is performed in 96-well microtiter plates. 5000 cells/well are cultivated in serum-free medium (as described by M. H. Schreier and R. Tees in Immunological Methods, I. Lefkovits and B. Pernis, eds., Academic Press 1981, Vol. II, pp. 263-275), supplemented with 1 ng recombinant IL-6/ml. Following a 66 hour incubation in the absence or presence of a test sample, cells are pulsed with 1 μ Ci (3-H)-thymidine/well for another 6 hours, harvested and counted by liquid scintillation. (3-H)-thymidine incorporation into DNA correlates with the increase in cell number and is thus a measure of cell proliferation. A dilution series of the test sample allows the calculation of the concentration resulting in 50% inhibition of cell proliferation (IC_{50}). The inhibitory capacity of the test sample may be compared to rapamycin and expressed as a relative IC_{50} (i.e. IC_{50} test sample/ IC_{50} rapamycin).

3. Macrophilin Binding Assay

Rapamycin and the structurally related immunosuppressant, FK-506, are both known to bind in vivo to macrophilin-12 (also known as FK-506 binding protein or FKBP-12), and this binding is thought to be related to the immunosuppressive activity of these compounds. The Novel Compounds also bind strongly to macrophilin-12, as is demonstrated in a competitive binding assay.

In this assay, FK-506 coupled to BSA is used to coat micronicer wells. Bioconjugated recombinant human macrophilin-12 (biot-MAP) is allowed to bind in the presence or absence of a test sample to the immobilized FK-506. After washing (to remove non-specifically bound macrophilin), bound biot-MAP is assessed by incubation with a streptavidin-alkaline phosphatase conjugate, followed by washing and subsequent addition of p-nitrophenyl phosphate as a substrate. The read-out is the OD at 405 nm. Binding of a test sample to biot-MAP results in a decrease in the amount of biot-MAP bound to the FK-506 and thus in a decrease in the OD405. A dilution series of the test sample allows determination of the concentration resulting in 50% inhibition of the biot-MAP binding to the immobilized FK-506 (IC_{50}). The inhibitory capacity of a test sample is compared to the IC_{50} of free FK-506 as a standard and expressed as a relative IC_{50} (i.e., IC_{50} -test sample/ IC_{50} -free FK-506).

US 6,440,990 B1

7

4. Localized Graft-Versus-Host (GvH) Reaction

In vivo efficacy of the Novel Compounds is proved in a suitable animal model, as described, e.g., in Ford et al, *TRANSPLANTATION* 10 (1970) 258. Spleen cells (1×10^7) from 6 week old female Wistar/Furth (WF) rats are injected subcutaneously on day 0 into the left hind-paw of female (F344×WF)_{F1} rats weighing about 100 g. Animals are treated for 4 consecutive days and the popliteal lymph nodes are removed and weighed on day 7. The difference in weight between the two lymph nodes is taken as the parameter for evaluating the reaction.

5. Kidney Allograft Reaction in Rat

One kidney from a female fisher 344 rat is transplanted onto the renal vessel of a unilaterally (left side) nephrectomized WF recipient rat using an end-to-end anastomosis. Ureteric anastomosis is also end-to-end. Treatment commences on the day of transplantation and is continued for 14 days. A contralateral nephrectomy is done seven days after transplantation, leaving the recipient relying on the performance of the donor kidney. Survival of the graft recipient is taken as the parameter for a functional graft.

6. Experimentally Induced Allergic Encephalomyelitis (EAE) in Rats

Efficacy of the Novel Compounds in EAE is measured, e.g., by the procedure described in Levine & Wenk, *AMER J PATH* 47 (1965) 61; McFarlin et al, *J IMMUNOL* 113 (1974) 712; Borel, *TRANSPLANT. & CLIN. IMMUNOL* 13 (1981) 3. EAE is a widely accepted model for multiple sclerosis. Male Wistar rats are injected in the hind paws with a mixture of bovine spinal cord and complete Freund's adjuvant. Symptoms of the disease (paralysis of the tail and both hind legs) usually develop within 16 days. The number of diseased animals as well as the time of onset of the disease are recorded.

7. Freund's Adjuvant Arthritis

Efficacy against experimentally induced arthritis is shown using the procedure described, e.g., in Winter & Nuss, *ARTHRITIS & RHEUMATISM* 9 (1966) 394; Billingham & Davies, *HANDBOOK OF EXPERIMENTAL PHARMACOL* (Vane & Ferreira Eds. Springer-Verlag, Berlin) 50/II (1979) 108-144. OFA and Wistar rats (male or female, 150 g body weight) are injected i.c. at the base of the tail or in the hind paw with 0.1 ml of mineral oil containing 0.6 mg of lyophilized heat-killed *Mycobacterium smegmatis*. In the developing arthritis model, treatment is started immediately after the injection of the adjuvant (days 1-18); in the established arthritis model treatment is started on day 14, when the secondary inflammation is well developed (days 14-20). At the end of the experiment, the swelling of the joints is measured by means of a micro-caliper. ED₅₀ is the oral dose in mg/kg which reduces the swelling (primary or secondary) to half of that of the controls.

8. Antitumor and MDR Activity

The antitumor activity of the Novel Compounds and their ability to enhance the performance of antitumor agents by alleviating multidrug resistance is demonstrated, e.g., by administration of an anticancer agent, e.g., colchicine or etoposide, to multidrug resistant cells and drug sensitive cells in vitro or to animals having multidrug resistant or drug sensitive tumors or infections, with and without co-administration of the Novel Compounds to be tested, and by administration of the Novel Compound alone.

8

Such in vitro testing is performed employing any appropriate drug resistant cell line and control (parental) cell line, generated e.g. as described by Ling et al., *J. Cell. Physiol.* 83, 103-116 (1974) and Bech-Hansen et al. *J. Cell. Physiol.* 88, 23-32 (1976). Particular clones chosen are the multi-drug resistant (e.g. colchicine resistant) line CHR (subclone C5S3.2) and the parental sensitive line AUX B1 (subclone AB1 S11).

In vivo anti-tumor and anti-MDR activity is shown, e.g., in mice injected with multidrug resistant and drug sensitive cancer cells. Ehrlich ascites carcinoma (EA) sub-lines resistant to drug substance DR, VC, AM, ET, TE or CC are developed by sequential transfer of EA cells to subsequent generations of BALB/c host mice in accordance with the methods described by Slater et al., *J. Clin. Invest.* 70, 1131 (1982).

Equivalent results may be obtained employing the Novel Compounds test models of comparable design, e.g. in vitro, or employing test animals infected with drug-resistant and drug sensitive viral strains, antibiotic (e.g. penicillin) resistant and sensitive bacterial strains, anti-mycotic resistant and sensitive fungal strains as well as drug resistant protozoal strains, e.g. Plasmodial strains, for example naturally occurring sub-strains of *Plasmodium falciparum* exhibiting acquired chemotherapeutic, anti-malarial drug resistance.

9. FKBP Binding

Certain of the Novel Compounds are not immunosuppressive, particularly those which are O-substituted at C28 only, such as 28-O-methyl-rapamycin. This can be shown in standard in vitro assays in comparison to FK506 and rapamycin. FK506, for example, is known to be a potent inhibitor of IL-2 transcription, as can be shown in an IL-2 reporter gene assay. Rapamycin, although not active in the IL-2 reporter gene assay, strongly inhibits IL-6 dependent T-cell proliferation. Both compounds are very potent inhibitors of the mixed lymphocyte reaction. Non-immunosuppressivity can also be shown in the in vivo models 1-7 above. Even those Novel Compounds which are not immunosuppressive, however, bind to macrophilin, which confers certain utilities in which nonimmunosuppressivity is an advantage.

Those of the Novel Compounds which bind strongly to macrophilin and are not themselves immunosuppressive can be used in the treatment of overdoses of macrophilin-binding immunosuppressants, such as FK506, rapamycin, and the immunosuppressive Novel Compounds.

10. Steroid Potentiation

The macrophilin binding activity of the Novel Compounds also makes them useful in enhancing or potentiating the action of corticosteroids. Combined treatment with the compounds of the invention and a corticosteroid, such as dexamethasone, results in greatly enhanced steroidal activity. This can be shown, e.g., in the murine mammary tumor virus-chloramphenicol acetyltransferase (MMTV-CAT) reporter gene assay, e.g., as described in Ning, et al., *J. Biol. Chem.* (1993) 268: 6073. This synergistic effect allows reduced doses of corticosteroids, thereby reducing the risk of side effects in some cases.

11. Mip and Mip-like Factor Inhibition

Additionally, the Novel Compounds bind to and block a variety of Mip (macrophage infectivity potentiator) and Mip-like factors, which are structurally similar to macro-

US 6,440,990 B1

9

philin. Mip and Mip-like factors are virulence factors produced by a wide variety of pathogens, including those of the genera *Chlamidia*, e.g., *Chlamidia trachomatis*; *Neisseria*, e.g., *Neisseria meningitidis* and *Legionella*, e.g., *Legionella pneumophila*; and also by the obligately parasitic members of the order Rickettsiales. These factors play a critical role in the establishment of intracellular infection. The efficacy of the Novel Compounds in reducing the infectivity of pathogens which produce Mip or Mip-like factors can be shown by comparing infectivity of the pathogens in cells culture in the presence and absence of the macrolides, e.g., using the methods described in Lundemose, et al., *Mol. Microbiol.* (1993) 7: 777. The nonimmunosuppressive compounds of the invention are preferred for use in this indication for the reason that they are not immunosuppressive, thus they do not compromise the body's natural immune defenses against the pathogens.

The Novel Compounds are also useful in assays to detect the presence or amount of macrophilin-binding compounds, e.g., in competitive assays for diagnostic or screening purposes. Thus, in another embodiment, the invention provides for use of the Novel Compounds as a screening tool to determine the presence of macrophilin-binding compounds in a test solution, e.g., blood, blood serum, or test broth to be screened. Preferably, a Novel Compound is immobilized in microtiter wells and then allowed to bind in the presence and absence of a test solution to labelled macrophilin-12 (FKBP-12). Alternatively, the FKBP-12 immobilized in microtiter wells and allowed to bind in the presence and absence of a test solution to a Novel Compound which has been labelled, e.g., fluoro-, enzymatically- or radio-labelled, e.g., a Novel Compound which has been O-substituted at C40 and/or C28 with a labelling group. The plates are washed and the amount of bound labelled compound is measured. The amount of macrophilin-binding substance in the test solution is roughly inversely proportional to the amount of bound labelled compound. For quantitative analysis, a standard binding curve is made using known concentrations of macrophilin bind compound.

EXAMPLES

In the following examples, characteristic spectroscopic data is given to facilitate identification. Peaks which do not differ significantly from rapamycin are not included. Biological data is expressed as a relative IC_{50} , compared to rapamycin in the case of the mixed lymphocyte reaction (MLR) and IL-6 dependent proliferation (IL-6 dep. prol.) assays, and to FK-506 in the macrophilin binding assay (MBA). A higher IC_{50} correlates with lower binding affinity.

Example 1

40-O-Benzyl-rapamvein

To a stirred solution of 183 mg (0.200 mmol) of rapamycin in 2.1 mL of 2:1 cyclohexane-methylene chloride is added 75 μ L (0.402 mmol) of benzyl-trichloroacetimidate, followed by 2.6 μ L (29 mmol 15 mol %) of trifluoromethanesulfonic acid whereupon the mixture turned immediately yellow. After 3 h the mixture is diluted with ethyl acetate and quenched with 10% aqueous sodium bicarbonate. The layers are separated and the aqueous layer

10

is extracted twice with ethyl acetate. The combined organic solution is washed with 10% aqueous sodium bicarbonate, dried over anhydrous sodium sulfate, filtered and concentrated under reduced pressure. The residue is purified by column chromatography on silica gel (50:50 hexane-ethyl acetate) to afford 40-O-benzyl-rapamycin as a white amorphous solid: 1H NMR ($CDCl_3$) δ 0.73 (1H, dd), 1.65 (3H, s), 1.73 (3H, s), 3.12 (4H, s and m), 3.33 (3H, s), 3.49 (3H, s), 4.15 (1H, bd), 4.65 (1H, d), 4.71 (1H, d), 7.22–7.38 (5H, m): MS (FAB) m/z 1026 ($[M+Na]^+$), 972 ($[M-(OCH_3)]^+$), 954 ($[M-(OCH_3+H_2O)]^+$).

MBA (rel. IC_{50})	1.8
IL-6 dep. prol. (rel. IC_{50})	10
MLR (rel. IC_{50})	110

Example 2

40-O-(4'-Hydroxymethyl)benzyl-rapamvein

a) 40-O-[4'-(t-Butyldimethylsilyl)oxymethyl]benzyl-rapamycin

To a stirred, cooled (-78° C.) solution of 345 μ L (2.0 mmol) of triflic anhydride in 5 mL of methylene chloride is added a solution of 504 mg (2.0 mmol) of 4 -(t-butyldimethylsilyl)oxymethyl-benzyl alcohol and 820 mg (4.0 mmol) of 2,6-di-t-butyl-4-methyl-pyridine in 5 mL of methylene chloride. The resulting mixture is warmed to -20° C. and stirring is continued at this temperature for 0.5 h. The mixture is then cooled back to -78° C. and a solution of 914 mg (1.0 mmol) of rapamycin in 5 mL of methylene chloride is added. This mixture is allowed to warm to room temperature overnight and is then quenched with 10% aqueous sodium bicarbonate. The layers are separated and the aqueous layer is extracted with ethyl acetate. The combined organic solution is washed with saturated brine, dried over sodium sulfate, filtered under reduced pressure and concentrated. The residue is purified by column chromatography on silica gel (50:50 hexane-ethyl acetate) to afford 40-O-[4'-(t-butyldimethylsilyl)oxymethyl]benzyl-rapamycin a white foam: MS (FAB) m/z 1170 ($[M+Na]^+$), 1098 ($[M-(OCH_3+H_2O)]^+$).

b) 40-O-(4'-Hydroxymethyl)benzyl-rapamycin

To a stirred, cooled (0° C.) solution of 98 mg (0.093 mmol) of the compound obtained in example 2 in 2 mL of acetonitrile is added 0.2 mL of HF-pyridine. The resulting mixture is stirred for 2 h and quenched with aqueous sodium bicarbonate, then extracted with ethyl acetate. The organic solution is washed with brine, dried over sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (20:80 hexane-ethyl acetate) to afford the title compound as a white foam: 1H NMR ($CDCl_3$) δ 0.73 (1H, dd), 1.65 (3H, s), 1.74 (3H, s), 3.22 (1H, m), 4.67 (4H, m), 7.35 (4H, m); MS (FAB) m/z 1056 ($[M+Na]^+$), 1002 ($[M-(OCH_3)]^+$), 984 ($[M-(OCH_3+H_2)]^+$), 966 ($[M-(OCH_3+2H_2O)]^+$), 934 ($[M-(OCH_3+CH_3OH+2H_2O)]^+$).

US 6,440,990 B1

11

MBA (rel. IC50)	2.7
IL-6 dep. prol. (rel. IC50)	3.9
MLR (rel. IC50)	3

Example 3

40-O-[4'-(1,2-Dihydroxyethyl)]benzyl-rapamycin

a) 40-O-[4'-(2,2-Dimethyl-1,3-dioxolan-4-yl)]benzyl-rapamycin

In 10 mL of 1:1 cyclohexane-methylene chloride is dissolved 452 mg (1.24 mmol) of 4-(2,2-dimethyl-1,3-dioxolan-4-yl)benzyl trichloroacetate, followed by 0.14 mL (0.64 mmol) of 2,6-di-*t*-butylpyridine and 56 μ L (0.64 mmol) of trifluoromethanesulfonic acid. To this mixture is added a solution of 587 mg (0.64 mmol) of rapamycin in 2 mL of methylene chloride. The reaction is stirred overnight at room temperature and quenched with aqueous sodium bicarbonate. The layers are separated and the aqueous layer is extracted twice with ethyl acetate. The combined organic solution is washed with saturated brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (50:50 hexane-ethyl acetate) to give 40-O-[4'-(2,2-Dimethyl-1,3-dioxolan-4-yl)]benzyl-rapamycin as a white, amorphous solid: ^1H NMR (CDCl_3) δ 0.73 (1H, dd), 1.48 (3H, s), 1.55 (3H, s), 1.65 (3H, s), 1.74 (3H, s), 3.67 (3H, m), 4.28 (1H, dd), 4.62 (1H, d), 4.69 (1H, d), 5.06 (1H, dd), 7.33 (4H, m); MS (FAB) m/z 1126 ($[\text{M}+\text{Na}]^+$), 1072 ($[\text{M}-\text{OCH}_3]^+$), 1054 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 1014 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{COCH}_3)]^+$), 966 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O}+\text{CH}_3\text{COCH}_3)]^+$), 978 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O}+\text{CH}_3\text{COCH}_3)]^+$).

b) 40-O-[4'-(1,2-Dihydroxyethyl)]benzyl-rapamycin

To a solution of 90.7 mg (0.08 mmol) of 40-O-[4'-(2,2-Dimethyl-1,3-dioxolan-4-yl)]benzyl-rapamycin in 4 mL of methanol is added 1 mL of 1N aqueous HCl. After 2 h the mixture is quenched with aqueous sodium bicarbonate and extracted twice with ethyl acetate. The organic solution is washed with brine, dried over anhydrous sodium sulfate and concentrated. The residue is purified by column chromatography on silica gel (ethyl acetate) and the title compound is obtained as a white foam: ^1H NMR (CDCl_3) δ 0.73 (1H, dd), 1.65 (3H, s), 1.74 (3H, s), 3.70 (4H, m), 4.63 (1H, d), 4.69 (1H, d), 4.80 (1H, dd), 7.33 (4H, m); MS (FAB) m/z 1086 ($[\text{M}+\text{Na}]^+$), 1032 ($[\text{M}-\text{OCH}_3]^+$), 1014 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 996 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	0.92
IL-6 dep. prol. (rel. IC50)	10.5
MLR (rel. IC50)	22

Example 4

40-O-Allyl-rapamycin

To a stirred, cooled (-78°C .) solution of 0.33 mL (2.01 mmol) of triflic anhydride in 10 mL of methylene chloride is slowly added a solution of 0.14 mL (2.06 mmol) of allyl

12

alcohol and 0.42 g (2.04 mmol) of 2,6-di-*t*-butyl-4-methylpyridine in 5 mL of methylene chloride. The resulting greenish solution is stirred for 1.5 h and a solution of 915 mg (1.00 mmol) of rapamycin and 0.42 g (2.04 mmol) of 2,6-di-*t*-butyl-4-methylpyridine in 5 mL of methylene chloride is added. Stirring is continued for 0.5 h at -78°C . and then the mixture is warmed to room temperature. After one more hour the mixture is quenched with aqueous sodium bicarbonate and the layers are separated. The aqueous layer is extracted twice with ethyl acetate. The combined organic solution is washed with aqueous sodium bicarbonate and brine, dried over anhydrous sodium sulfate, filtered and concentrated. The resulting green oil is purified by column chromatography on silica gel (60:40 hexane-ethyl acetate) to afford the title compound as a colorless, amorphous solid: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.65 (3H, s), 1.74 (3H, s), 3.05 (1H, m), 4.13 (2H, bd), 5.14 (2H, m), 5.27 (2H, m), 5.92 (2H, m); MS (FAB) m/z 976 ($[\text{M}+\text{Na}]^+$), 922 ($[\text{M}-\text{OCH}_3]^+$), 904 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 866 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 872 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 854 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	1
IL-6 dep. prol. (rel. IC50)	8
MLR (rel. IC50)	260

Example 5

40-O-[3'-(2,2-Dimethyl-1,3-dioxolan-4(S)-yl)-prop-2'-en-1'-yl]-rapamycin

To a stirred, cooled (-78°C .) solution of 0.64 g (4.00 mmol) of E-(4S)4,5-O-isopropylidene-pent-2-en-1,4,5-triol and 1.26 g (6.00 mmol) of 2,6-di-*t*-butyl-4-methylpyridine in 20 mL of methylene chloride is added 0.82 mL (5.00 mmol) of triflic anhydride. The resulting mixture is stirred at this temperature for 2 h and a solution of 1.82 g (2.00 mmol) of rapamycin and 1.26 g (6.00 mmol) of 2,6-di-*t*-butyl-4-methylpyridine in 5 mL of methylene chloride is added. The mixture is allowed to gradually warm to room temperature overnight and is then quenched with aqueous sodium bicarbonate. The layers are separated and the aqueous layer is extracted three times with ethyl acetate. The organic solution is washed with aqueous sodium bicarbonate and brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (40:60 hexane-ethyl acetate) to afford the title compound as a white solid: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.38 (3H, s), 1.42 (3H, s), 1.65 (3H, s), 1.73 (3H, s), 3.06 (1H, m), 3.58 (2H, m), 4.08 (1H, dd), 4.15 (2H, m), 4.52 (1H, bdd), 5.72 (1H, m), 5.88 (1H, m); MS (FAB) m/z 1076 ($[\text{M}+\text{Na}]^+$), 1022 ($[\text{M}-\text{OCH}_3]^+$), 1004 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 964 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{COCH}_3)]^+$), 946 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O}+\text{CH}_3\text{COCH}_3)]^+$), 946 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O}+\text{CH}_3\text{COCH}_3)]^+$).

US 6,440,990 B1

13

MBA (rel. IC50)	0.64
IL-6 dep. prol. (rel. IC50)	11
MLR (rel. IC50)	8

Example 6

(2'E, 4'S)-40-O-(4',5'-Dihydroxypent-2'-en-1'-yl)-rapamycin

The conditions described in example 3, step b) applied to the compound obtained in the previous example, followed by purification through column chromatography on silica gel (95:5 ethyl acetate-methanol) afford the title compound as a white foam: ¹H NMR (CDCl₃) 80.68 (1H, dd), 3.04 (1H, m), 4.18 (5H, m), 5.75 (1H, dd), 5.88 (1H, m); MS (FAB) m/z 1036 ([M+Na]⁺), 1013 (M⁺), 995 ([M-H₂O]⁺), 982 ([M-OCH₃]⁺), 964 ([M-(OCH₃+H₂O)]⁺), 946 (M-(OCH₃+2H₂O)]⁺), 832 (M-([2CH₃OH+OH)]⁺), 914 ([M-(OCH₃+CH₃OH+2H₂O)]⁺).

MBA (rel. IC50)	1.7
IL-6 dep. prol. (rel. IC50)	12
MLR (rel. IC50)	3.5

Example 7

40-O-(2-Hydroxy)ethoxycarbonvimethyl-ranamycin

a) 40-O-[2-(t-Butyldimethylsilyl)oxy]ethoxycarbonlmethyl-rapamycin

To a stirred solution of 2.74 g (3.00 mmol) of rapamycin and 30 mg (0.06 mmol) of dirhodium tetracetate dihydrate in 30 mL of methylene chloride is added a solution of 0.38 mL (3.60 mmol) of 2-(t-butyldimethylsilyl)oxyethyl diazoacetate in 10 mL of methylene chloride over 5 h. After the addition is complete stirring is continued for one more hour, then the reaction is quenched with 1N aq. HCl. The layers are separated and the aqueous layer is extracted with ethyl acetate. The combined organic solution is washed with aq. sodium bicarbonate and brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (40:60 hexane-ethyl acetate) yielding 40-O-[2-(t-butyldimethylsilyl)oxy]ethoxycarbonlmethyl-rapamycin: ¹H NMR (CDCl₃) 80.06 (6H, s), 0.68 (1H, dd), 0.88 (9H, s), 1.64 (3H, s), 1.73 (3H, s), 3.12 (5H, s and m), 3.81 (2H, dd), 4.19 (2H, dd), 4.32 (2H, s); MS (FAB) m/z 1152 ([M+Na]⁺), 1080 ([M-(OCH₃+H₂O)]⁺).

b) 40-O-(2-Hydroxy)ethoxycarbonlmethyl-rapamycin

To a stirred, cooled (0° C.) solution of 81 mg (0.07 mmol) of 40-O-[2-(t-butyldimethylsilyl)oxy]ethoxycarbonlmethyl-rapamycin in 1.5 mL of acetonitrile is added 0.15 mL of HF-pyridine. After 2 h the reaction is quenched with aq. sodium bicarbonate. The mixture is extracted with ethyl acetate. The organic solution is washed with brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by PTLC (ethyl acetate) to afford the title compound as a white solid: ¹H

14

NMR (CDCl₃) 80.70 (1H, dd), 1.65 (3H, s), 1.75 (3H, s), 3.13 (5H, s and m), 3.85 (3H, m), 4.25 (5H, m); MS (FAB) m/z 1038 ([M+Na]⁺), 984 ([M-OCH₃]⁺), 966 ([M-(OCH₃+H₂O)]⁺), 948 ([M-(OCH₃+2H₂O)]⁺).

MBA (rel. IC50)	4
IL-6 dep. prol. (rel. IC50)	9.7
MLR (rel. IC50)	2.1

Example 8

40-O-(2-Hydroxy)ethyl-rapamycin

a) 40-O-[2-(t-Buryldimethylsilyl)oxy]ethyl-rapamycin

A solution of 9.14 g (10 mmol) of rapamycin and 4.70 mL (40 mmol) of 2,6-lutidine in 30 mL of toluene is warmed to 60° C. and a solution of 6.17 g (20 mmol) of 2-(t-butyldimethylsilyl)oxyethyl triflate and 2.35 mL (20 mmol) of 2,6-lutidine in 20 mL of toluene is added. This mixture is stirred for 1.5 h. Then two batches of a solution of 3.08 g (10 mmol) of triflate and 1.2 mL (10 mmol) of 2,6-lutidine in 10 mL of toluene are added in a 1.5 h interval. After addition of the last batch, stirring is continued at 60° C. for 2 h and the resulting brown suspension is filtered. The filtrate is diluted with ethyl acetate and washed with aq. sodium bicarbonate and brine. The organic solution is dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (40:60 hexane-ethyl acetate) to afford 40-O-2-(t-buryldimethylsilyl)oxy]ethyl-rapamycin as a white solid: ¹H NMR (CDCl₃) 80.06 (6H, s), 0.72 (1H, dd), 0.90 (9H, s), 1.65 (3H, s), 1.75 (3H, s), 3.02 (11H, m), 3.63 (3H, m), 3.72 (3H, m); MS (FAB) m/z 1094 ([M+Na]⁺), 1022 ([M-(OCH₃+H₂O)]⁺).

b) 40-O-(2-Hydroxy)ethyl-rapamycin

To a stirred, cooled (0° C.) solution of 4.5 g (4.2 mmol) of 40-O-[2-(t-buryldimethylsilyl)oxy]ethyl-rapamycin in 20 mL of methanol is added 2 mL of 1N HCl. This solution is stirred for 2 h and neutralized with aq. sodium bicarbonate. The mixture is extracted with three portions of ethyl acetate. The organic solution is washed with aq. sodium bicarbonate and brine, dried over anhydrous sodium sulfate, filtered and concentrated. Purification by column chromatography on silica gel (ethyl acetate) gave the title compound as a white solid: ¹H NMR (CDCl₃) 80.72 (1H, dd), 1.65 (3H, s), 1.75 (3H, s), 3.13 (5H, s and m), 3.52-3.91 (8H, m); MS (FAB) m/z 980 ([M+Na]⁺), 926 ([M-OCH₃]⁺), 908 ([M-OCH₃+H₂O)]⁺, 890 ([M-(OCH₃+2H₂O)]⁺), 876 ([M-(2CH₃OH+OH)]⁺), 858 ([M-(OCH₃+CH₃OH+2H₂O)]⁺).

MBA (rel. IC50)	2.2
IL-6 dep. prol. (rel. IC50)	2.8
MLR (rel. IC50)	3.4

US 6,440,990 B1

15

Example 9

40-O-(3-Hydroxy)propyl-rapamycin

a) 40-O-(3-(t-Butyldimethylsilyl)oxy)propyl-rapamycin

The same procedure as described in example 8, step a) using 3-(t-butyldimethylsilyl)oxyprop-1-yl triflate affords 40-O-3-(t-butyldimethylsilyl)oxy)propyl-rapamycin: ^1H NMR (CDCl_3) δ 0.05 (6H, s), 0.72 (1H, dd), 0.90 (9H, s), 1.65 (3H, s), 1.74 (3H, s), 1.77 (2H, m), 3.03 (1H, m), 3.52–3.73 (7H, m); MS (FAB) m/z 1108 ($[\text{M}+\text{Na}]^+$), 1036 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$).

b) 40-O-(3-Hydroxy)propyl-rapamycin

Treatment of the compound obtained in step a) in the conditions described in example 8, step b) yields the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.65 (3H, s), 1.75 (3H, s), 1.80 (2H, m), 3.05 (1H, m), 3.55–3.91 (8H, m); MS (FAB) m/z 994 ($[\text{M}+\text{Na}]^+$), 940 ($[\text{M}-\text{OCH}_3]^+$), 922 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 904 ($[\text{M}-(\text{OCH}_3+(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O}))]^+$).

MBA (rel. IC50)	1.6
IL-6 dep. prol. (rel. IC50)	2.7
MLR (rel. IC50)	11

Example 10

40-O-(6-Hydroxy)hexyl-rapamycin

a) 40-O-[6-(t-Butyldimethylsilyl)oxy]hexyl-rapamycin

The same procedure as described in example 8, step a) using 6-(t-butyldimethylsilyl)oxyhexyl triflate affords 40-O-[6-(t-butyldimethylsilyl)oxy]hexyl-rapamycin: MS (FAB) m/z 1150 ($[\text{M}+\text{Na}]^+$).

b) 40-O-(6-Hydroxy)hexyl-rapamycin

Treatment of the compound obtained in step a) in the conditions described in example 8, step b) yields the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.38 (2H, m), 1.57 (4H, m), 1.65 (3H, s), 1.74 (3H, s), 3.02 (1H, m), 3.49–3.72 (8H, m); MS (FAB) m/z 1036 ($[\text{M}+\text{Na}]^+$), 982 ($[\text{M}-\text{OCH}_3]^+$), 964 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 946 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	0.8
IL-6 dep. prol. (rel. IC50)	8.5
MLR (rel. IC50)	18

Example 11

40-O-[2-(2-Hydroxy)ethoxy]ethyl-rapamycin

a) 40-O-[2-(t-Butyldimethylsilyl)oxyethoxy]ethyl-rapamycin

The same procedure as described in example 8, step a) using 2-[2-(t-butyldimethylsilyl)oxy-ethoxy]ethyl triflate affords 40-O-[2-(t-butyldimethylsilyl)oxyethoxy]ethyl-rapamycin: ^1H NMR (CDCl_3) δ 0.06 (6H, s), 0.71 (1H, dd), 0.88 (9H, s), 1.65 (3H, s), 1.74 (3.07 (1H, m), 3.51–3.79 (11H, m); MS (FAB) m/z 1138 ($[\text{M}+\text{Na}]^+$), 1115 (M^+), 1097

16

($[\text{M}-\text{H}_2\text{O}]^+$), 1084 ($[\text{M}-\text{OCH}_3]^+$), 1066 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 1048 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 1034 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 1016 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

b) 40-O-[2-(2-Hydroxy)ethoxy]ethyl-rapamycin

Treatment of the compound obtained in step a) in the conditions described in example 8, step b) yields the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.65 (3H, s), 1.74 (3H, s), 3.05 (1H, m), 3.51–3.77 (11H, m); MS (FAB) m/z 1024 ($[\text{M}+\text{Na}]^+$), 1001 (M^+), 983 ($[\text{M}-\text{H}_2\text{O}]^+$), 970 ($[\text{M}-\text{OCH}_3]^+$), 952 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 934 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 920 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 902 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	1.2
IL-6 dep. prol. (rel. IC50)	3.2
MLR (rel. IC50)	2

Example 12

40-O-[(3S)-2,2-Dimethyldioxolan-3-yl]methyl-rapamycin

The same procedure as described in example 8, step a) using the triflate of glycerol acetone affords the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.36 (3H, s), 1.42 (3H, s), 1.65 (3H, s), 1.75 (3H, s), 3.06 (1H, m), 3.55 (2H, m), 3.69 (3H, m), 4.06 (1H, dd), 4.26 (1H, m); MS (FAB) m/z 1050 ($[\text{M}+\text{Na}]^+$), 996 ($[\text{M}-\text{OCH}_3]^+$), 978 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 960 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	0.9
IL-6 dep. prol. (rel. IC50)	8
MLR (rel. IC50)	290

Example 13

40-O-[(2S)-2,3-Dihydroxyprop-1-yl]-rapamycin

Treatment of the compound obtained in the previous example in the conditions described in example 3 yields the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.65 (3H, s), 1.75 (3H, s), 3.07 (1H, m), 3.68 (8H, m); MS (FAB) m/z 1010 ($[\text{M}+\text{Na}]^+$), 956 ($[\text{M}-\text{OCH}_3]^+$), 938 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 920 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 888 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	0.67
IL-6 dep. prol. (rel. IC50)	9
MLR (rel. IC50)	10

Example 14

40-O-(2-Acetoxy)ethyl-rapamycin

To a stirred, cooled (0°C .) solution of 53 mg (0.055 mmol) of 40-O-hydroxyethyl-rapamycin in 2 mL of methylene chloride is added 0.2 mL of pyridine followed by 0.02 mL (0.281 mmol) of acetyl chloride. The mixture is stirred

US 6,440,990 B1

17

for 3 h and diluted with ethyl acetate, then washed with aq. sodium bicarbonate, cold 1N HCl and again with aq. sodium bicarbonate. The organic solution is dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (30:70 hexane-ethyl acetate) to afford the title compound as a white solid: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.65 (3H, s), 1.75 (3H, s), 2.08 (3H, s), 3.07 (1H, m), 3.78 (2H, dd), 4.20 (2H, dd); MS (FAB) m/z 1022 ($[\text{M}+\text{Na}]^+$), 999 (M^+), 982 ($[\text{M}-\text{OH}]^+$), 968 ($[\text{M}-\text{OCH}_3]^+$), 950 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 932 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 918 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 900 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	2
IL-6 dep. prol. (rel. IC50)	7.6
MLR (rel. IC50)	3.6

Example 15

40-O-(2-Nicotinoyloxy)ethyl-rapamycin

The same procedure as described in the previous example using nicotinoyl chloride hydrochloride affords the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.65 (3H, s), 1.75 (3H, s), 3.07 (1H, m), 3.94 (2H, dd), 4.49 (2H, t), 7.39 (1H, dd), 8.31 (1H, ddd), 8.78 (1H, ddd), 9.24 (1H, dd); MS (FAB) m/z 1085 ($[\text{M}+\text{Na}]^+$), 1063 ($[\text{M}+\text{H}]^+$), 1045 ($[\text{M}-\text{OH}]^+$), 1031 ($[\text{M}-\text{OCH}_3]^+$), 1013 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	1.1
IL-6 dep. prol. (rel. IC50)	6.9
MLR (rel. IC50)	5

Example 16

40-O-(2-(N-Morpholino)acetoxy)ethyl-rapamycin

a) 40-O-(2-Bromoacetoxy)ethyl-rapamycin

The same procedure as described in example 14 using bromoacetyl chloride affords 40-O-(2-bromoacetoxy)ethyl-rapamycin: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.67 (3H, s), 1.76 (3H, s), 3.03 (1H, m), 3.82 (2H, m), 3.87 (2H, s), 4.31 (2H, m); MS (FAB) m/z 1100, 1102 ($[\text{M}+\text{Na}]^+$), 1077 (M^+), 1061 ($[\text{M}-\text{H}_2\text{O}]^+$), 1046, 1048 ($[\text{M}-\text{OCH}_3]^+$), 1028, 1030 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 1012 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 996 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 980 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

b) 40-O-[2-(N-Morpholino)acetoxy]ethyl-rapamycin

To a stirred, cooled (-45°C) solution of 54 mg (0.05 mmol) of 40-O-(2-bromoacetoxy)ethyl-rapamycin in 0.5 mL of DMF is added a solution of 0.022 mL (0.25 mmol) of morpholine in 0.2 mL of DMF and the resulting mixture is stirred at that temperature for 1 h, then treated with aq. sodium bicarbonate. This mixture is extracted three times with ethyl acetate. The organic solution is washed with brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (95:5 ethyl acetate-methanol) yielding the title compound as an amorphous white solid: ^1H NMR

18

(CDCl_3) δ 0.72 (1H, dd), 1.67 (3H, s), 1.76 (3H, s), 2.60 (3H, m), 3.07 (1H, m), 3.24 (2H, s), 3.78 (8H, m), 4.27 (2H, t); MS (FAB) m/z 1107 ($[\text{M}+\text{Na}]^+$), 1085 ($[\text{M}+\text{H}]^+$), 1067 ($[\text{M}-\text{OH}]^+$), 1053 ($[\text{M}-\text{OCH}_3]^+$), 1035 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	1.3
IL-6 dep. prol. (rel. IC50)	4
MLR (rel. IC50)	3.5

Example 17

40-O-(2-N-Imidazolylacetoxy)ethyl-rapamycin

The same procedure as described in example 16, step b) using imidazole affords the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.67 (3H, s), 1.78 (3H, s), 3.06 (1H, m), 3.80 (2H, m), 4.32 (2H, m), 4.73 (2H, s), 6.97 (1H, dd), 7.09 (1H, dd), 7.52 (1H, dd); MS (FAB) m/z 1066 ($[\text{M}+\text{H}]^+$), 1048 ($[\text{M}-\text{OH}]^+$), 1034 ($[\text{M}-\text{OCH}_3]^+$), 1016 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$).

IL-6 dep. prol. (rel. IC50)	7.6
MLR (rel. IC50)	3.4

Example 18

40-O-[2-(N'-Methyl-N'-piperazinyl)acetoxy]ethyl-rapamycin

The same procedure as described in example 16, step b) using N-methylpiperazine affords the title compound: ^1H NMR (CDCl_3) δ 0.72 (1H, dd), 1.67 (3H, s), 1.77 (3H, s), 2.78 (4H, s and m), 3.02 (4H, bs), 3.08 (1H, m), 3.32 (2H, s), 3.80 (2H, dd), 4.27 (2H, t); MS (FAB) m/z 1098 ($[\text{M}+\text{H}]^+$), 1066 ($[\text{M}-\text{OCH}_3]^+$).

MBA (rel. IC50)	2.6
IL-6 dep. prol. (rel. IC50)	10.3
MLR (rel. IC50)	5

Example 19

39-O-Desmethyl-39,40-O-ethylene-rapamycin

To a stirred, cooled (-20°C) solution of 48 mg (0.05 mol) of 40-O-hydroxyethyl-rapamycin and 0.023 mL (0.20 mmol) of 2,6-lutidine in 0.5 mL of methylene chloride is added 0.008 mL (0.05 mmol) of triflic anhydride. The mixture is stirred at this temperature for 2 h, then allowed to warm to room temperature and stirred for one more hour. The reaction is quenched with aq. sodium bicarbonate and the resulting mixture is extracted with three portions of ethyl acetate. The organic solution is washed with brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (30:70 hexane-ethyl acetate) to afford the title compound

US 6,440,990 B1

19

as a white solid: ^1H NMR (CDCl_3) δ 1.66 (3H, s), 1.75 (3H, s), 3.14 (3H, s), 3.35 (3H, s), 3.76 (4H, s); MS (FAB) m/z 948 ($[\text{M}+\text{Na}]^+$), 925 (M^+), 908 ($[\text{M}-\text{OH}]^+$), 894 ($[\text{M}-\text{OCH}_3]^+$), 876 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 858 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 844 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 826 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	1.6
IL-6 dep. prol. (rel. IC50)	22.9
MLR (rel. IC50)	16

Example 20

(26R)-26-Dihydro-40-O-(2-hydroxy)ethyl-rapamycin

a) (26R)-26-Dihydro-40-O-[2-(*t*-Butyldimethylsilyloxy)]ethyl-rapamycin

In 4.5 mL of 2:1 acetonitrile-acetic acid is dissolved 315 mg (1.2 mmol) of tetramethylammonium-triacetoxymethylborohydride. The resulting solution is stirred for 1 h at room temperature and cooled to -35°C , then 161 mg (0.15 mmol) of 40-O-[2-(*t*-butyldimethylsilyloxy)]ethyl-rapamycin is added. The resulting mixture is stirred at the same temperature overnight and is quenched by the addition of aq. sodium bicarbonate. The mixture is extracted with three portions of ethyl acetate. The organic solution is washed with aq. sodium bicarbonate, two portions of 30% aq. Rochelle's salt and brine, dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (40:60 hexane-ethyl acetate) to afford the title compound as a white solid: ^1H NMR (CDCl_3) δ 0.06 (6H, s), 0.73 (1H, dd), 0.90 (9H, s), 1.64 (3H, s), 1.67 (3H, s), 3.02 (1H, m), 3.15 (1H, m), 3.64 (3H, m), 3.71 (2H, dd), 3.91 (1H, s); MS (FAB) m/z 1096 ($[\text{M}+\text{Na}]^+$), 1041 ($[\text{M}-\text{HOCH}_3]^+$), 1024 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 1006 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$), 974 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH}+2\text{H}_2\text{O})]^+$).

b) (26R)-26-Dihydro-40-O-(2-hydroxy)ethyl-rapamycin

Treatment of the compound obtained in step a) in the conditions described in example 8. step b) yields the title compound: ^1H NMR (CDCl_3) δ 0.75 (1H, dd), 1.66 (3H, s), 1.70 (3H, s), 3.18 (1H, m), 3.52–3.84 (7H, m); MS (FAB) m/z 982 ($[\text{M}+\text{Na}]^+$), 928 ($[\text{M}-\text{OCH}_3]^+$), 910 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 892 ($[\text{M}-(\text{OCH}_3+2\text{H}_2\text{O})]^+$).

MBA (rel. IC50)	3.9
IL-6 dep. prol. (rel. IC50)	53
MLR (rel. IC50)	18

Example 21

28.0-O-Methyl-rapamycin

To a stirred solution of 103 mg (0.1 mmol) of 40-O-TBS-rapamycin (obtained by silylation of rapamycin with 1 eq. of TBS triflate in methylene chloride in the presence of 2 eq. of 2,6-lutidine at 0°C) in 0.5 mL of methylene chloride is added 85.8 mg (0.40 mmol) of proton sponge followed by 44

20

mg (0.30 mmol) of trimethyloxonium tetrafluoroborate. The resulting brown heterogeneous mixture is stirred overnight, quenched with aq. sodium bicarbonate and extracted with ethyl acetate. The organic solution is washed with 1N HCl, aq. sodium bicarbonate and brine, then dried over anhydrous sodium sulfate, filtered and concentrated. The residue is purified by column chromatography on silica gel (60:40 hexane-ethyl acetate) to afford 40-O-*t*-butyldimethylsilyl-28-O-methyl-rapamycin. The latter compound is desilylated in the conditions described in example 10, step b) to afford, after PTLC (ethyl acetate), the title compound as a white solid: ^1H NMR (CDCl_3) δ 0.70 (1H, dd), 1.68 (6H, 2s), 2.95 (1H, m), 3.13 (3H, s), 3.14 (3H, s), 3.28 (3H, s), 3.41 (3H, s); MS (FAB) m/z 950 ($[\text{M}+\text{Na}]^+$), 927 (M^+), 909 ($[\text{M}-\text{H}_2\text{O}]^+$), 896 ($[\text{M}-\text{OCH}_3]^+$), 878 ($[\text{M}-(\text{OCH}_3+\text{H}_2\text{O})]^+$), 864 ($[\text{M}-(\text{OCH}_3+\text{CH}_3\text{OH})]^+$), 846 ($[\text{M}-(2\text{CH}_3\text{OH}+\text{OH})]^+$), 832 ($[\text{M}-(\text{OCH}_3+2\text{CH}_3\text{OH})]^+$), 814 ($[\text{M}-(3\text{CH}_3\text{OH}+\text{OH})]^+$).

MBA (rel. IC50)	1.58
IL-6 dep. prol. (rel. IC50)	1240
MLR (rel. IC50)	1300

Example 22

40-O-(2-aminoethyl)-rapamycin

a) 40-O-(2-bromoethyl)-rapamycin

A solution of 914 mg rapamycin in 5 mL toluene containing 0.64 mL of 2,6-lutidine and 1.28 g of 2-bromoethyl triflate is heated at 65°C for 18 h. The reaction mixture is then cooled to room temperature, poured on 20 mL of a saturated bicarbonate solution and extracted with 3x20 mL ethyl acetate. The organic phases are dried over sodium carbonate and the solvent removed at reduced pressure on the rotatory evaporator. The residue is chromatographed on 100 g silica gel, eluting with hexane/ethyl acetate 3/2 to afford 40-O-(2-bromoethyl)-rapamycin as an amorphous solid: MS (FAB) m/z 1044 and 1042 (100%; $\text{M}+\text{Na}$); 972 and 970 (55%, $\text{M}-(\text{MeOH}+\text{H}_2\text{O})$).

^1H -NMR (CDCl_3) δ : 0.72 (1H, q, $J=12\text{ Hz}$); 3.13 (3H, s); 3.33 (3H, s); 3.45 (3H, s); 3.9 (4H, m); 4.78 (1H, s)

b) 40-O-(2-azidoethyl)-rapamycin

A solution of 2.4 g of 40-O-(2-bromoethyl)-rapamycin in 40 mL DMF is treated with 0.19 g sodium azide at room temperature. After 2 h, the mixture is poured on 100 mL of saturated sodium bicarbonate and extracted with 3x100 mL ethyl acetate. The organic phases are combined, dried over sodium sulfate and the solvent removed under reduced pressure. The crude product is purified by chromatography on silica gel eluting with hexane/ethyl acetate to afford 40-O-(2-azidoethyl)-rapamycin: MS (FAB): 1005 (100%, $\text{M}+\text{Na}$); 951 (24%, $\text{M}-\text{MeOH}$); 933 (57%, $\text{M}-(\text{MeOH}+\text{H}_2\text{O})$)

c) 40-O-(2-aminoethyl)-rapamycin

To a solution of 230 mg 40-O-(azidoethyl)-rapamycin in 3 mL of THF/water 5/1 at room temperature are added 307 mg of triphenylphosphine. The reaction mixture becomes yellow. After 7 h, the reaction mixture is loaded on x g silica

US 6,440,990 B1

21

gel and chromatographed with ethyl acetate/methanol/acetic acid 50/50/0.5 to afford the title product in the form of its acetate: MS (FAB) *m/z* 979 (45%, M+Na); 957 (100%, MH); 925 (63%, M—MeOH); 907 (25%, M—(MeOH+H₂O))

MBA (rel. IC50): 0.7

IL-6 dep. prol. (rel. IC50): 10

Example 23

40-O-(2-acetaminoethyl)-rapamycin

To a solution of 101 mg of the acetate of 40-O-(2-aminoethyl)-rapamycin in 2 mL THF are added 0.02 mL pyridine and 0.07 mL acetyl chloride. The reaction mixture is kept at room temperature for 18 h and then poured on 7 mL saturated sodium bicarbonate. The aqueous phase is extracted 3 × with 5 mL ethyl acetate, the organic phases are combined and dried over sodium sulfate. The solvent is evaporated and the residue chromatographed on 10 g silica gel eluting first with ethyl acetate followed by ethyl acetate/methanol/acetic acid 50/50/0.5 to afford the title product: MS (FAB) *m/z* 1021 (20%, M+Na); 967 (28%, M—MeOH); 949 (100%, M—(MeOH+H₂O))

H-NMR (CDCl₃) *d*: 0.71 (1H, q, J=12 Hz); 1.98 (3H, s); 3.13 (3H, s); 3.34 (3H, s); 3.44 (3H, s); 4.75 (1H, s)

MBA (rel. IC50): 1.1

IL-6 dep. prol. (rel. IC50): 2.3

Example 24

40-O-(2-nicotinamidoethyl)-rapamycin

101 mg of 40-(2-aminoethyl)-rapamycin acetate are dissolved in 5 mL ethyl acetate and extracted 2 × with saturated sodium bicarbonate. The organic phase is dried over sodium sulfate and the solvent evaporated. The residue is dissolved in 2 mL THF and treated with 22 mg DCC and 15 mg nicotinic acid. After 15 h at room temperature the reaction mixture is evaporated and the residue chromatographed on silica gel, eluting with ethyl acetate followed by ethyl acetate/methanol 9/1, to afford the title product: MS (FAB) *m/z* 1084 (80%, M+Na); 1062 (40%, MH); 1038 (100%, M—MeOH); 1012 (50%, M—(MeOH+H₂O))

H-NMR (CDCl₃) *d*: 0.72 (1H, q, J=12 Hz); 3.13 (3H, s); 3.33 (3H, s); 3.37 (3H, s); 7.39 (1H, dd; J=6 Hz, J=8 Hz), 8.19 (1H, d, J=8 Hz); 8.75 (1H, d, J=6 Hz); 9.04 (1H, broad s)

MBA (rel. IC50): 1.2

IL-6 dep. prol. (rel. IC50): 2.8

Example 25

40-O-(2-(N-Methyl-imidazo-2'-ylcarboethoxamido ethyl)-rapamycin

To a solution of 30 mg N-methyl-imidazol-2-carboxylic acid in 1 mL DMF are added 58 mg DCC and 58 mg HOBt. After 2 h, 150 mg 40-O-(2-aminoethyl)-rapamycin are added and the reaction mixture is stirred for 18 h at room temperature. The suspension is then filtered, the filtrate diluted with 5 mL ethyl acetate and washed with 2 × 2 mL of a saturated aqueous bicarbonate solution. The organic phase

22

is dried over sodium sulfate and the solvent evaporated under reduced pressure. The residue is chromatographed over 10 silica gel, eluting with hexane/ethyl acetate 1/4 and then ethyl acetate to afford the title product:

MS (FAB) *m/z* 1087 (36%, M+Na); 1065 (57%, MH); 1033 (100%, M—MeOH); 1015 (46%, M—(MeOH+H₂O))

H-NMR (CDCl₃) *d*: 0.72 (1H, q, J=12 Hz); 3.13 (3H, s); 3.33 (3H, s); 3.46 (3H, s); 4.03 (3H, s); 6.93 (1H, broad s); 6.98 (1H, broad s); 7.78 (1H, m)

MBA (rel. IC50): 1.1

IL-6 dep. prol. (rel. IC50): 7

Example 26

40-O-(2-ethoxycarbonylaminoethyl)-rapamycin

A solution of 200 mg 40-O-(2-azidoethyl)-rapamycin in 3 mL THF/water 5/1 is treated with 267 mg triphenylphosphine for 7 h at room temperature. Then 0.4 mL pyridine are added followed by 194 μ L ethyl chloroformate. After 2 h, the reaction mixture is poured on 5 mL ethyl acetate and washed successively with 10 mL saturated sodium bicarbonate, 5 mL water and 5 mL 10% citric acid. The organic phase is dried over sodium sulfate and the solvent evaporated. The residue is chromatographed over 20 g silica gel, eluting with ethyl acetate followed by ethyl acetate/methanol 9/1, to afford the title product: MS (FAB) *m/z* 1051 (35%, M+Na); 997 (30%, M—MeOH); 979 (100%, M—(MeOH+H₂O))

H-NMR (CDCl₃) *d*: 0.71 (1H, q, J=12 Hz); 1.24 (3H, t, J=8 Hz); 3.13 (3H, s); 3.34 (3H, s); 3.43 (3H, s); 4.10 (2H, q, J=8 Hz); 5.48 (1H, m)

MBA (rel. IC50): 1.1

IL-6 dep. prol. (rel. IC50): 1.7

Example 27

40-O-(2-tolylsulfonamidoethyl)-rapamycin

A solution of 200 mg 40-O-(2-aminoethyl)-rapamycin in 3 mL THF is treated with 0.4 mL pyridine and 390 mg tosyl chloride and the reaction mixture is stirred for 12 h at room temperature. The solution is then poured onto 5 mL of a saturated bicarbonate solution and the aqueous phase is extracted with 2 × 5 mL ethyl acetate. The combined organic phases are washed with 5 mL of 10% citric acid and 5 mL water. After drying on sodium sulfate the solvent is evaporated and the residue chromatographed on 20 g silica gel, eluting with hexane/ethyl acetate 1/1 to afford the title product as a white foam: MS (FAB) *m/z* 1133 (100%, M+Na); 1078 (25%, M—MeOH); 1061 (85%, M—(MeOH+H₂O))

H-NMR (CDCl₃) *d*: 0.68 (1H, q, J=12 Hz); 2.43 (3H, s); 3.13 (3H, s); 3.35 (3H, s); 3.41 (3H, s); 4.76 (1H, s); 5.85 (1H, t, J=6 Hz); 7.30 (2H, d, J=8 Hz); 7.75 (2H, d, J=8 Hz)

MBA (rel. IC50): 15.9

IL-6 dep. prol. (rel. IC50): 14

Example 28

40-O-[2-(4',5'-dicarboethoxy-1',2',3'-triazol-1'-yl)-ethyl]-rapamycin

98 mg of 40-O-(2-azidoethyl)-rapamycin and 32 mg diethylacetylene dicarboxylate are suspended in 0.5 mL

US 6,440,990 B1

23

toluene and heated at 65 °C. for 5 h. The reaction mixture is then cooled at room temperature, loaded on 10 g silica gel and eluted with hexane/ethyl acetate 1/1 to afford the title product: MS (FAB) m/z 1175 (20%, $M+Na$); 1121 (15%, $M-MeOH$); 1103 (60%, $M-(MeOH+H_2O)$)

1H -NMR ($CDCl_3$) δ : 0.62 (1H, q, $J=12$ Hz); 1.40 (3H, t, $J=8$ Hz); 1.42 (3H, t, $J=8$ Hz); 3.13 (3H, s); 3.25 (3H, s); 3.33 (3H, s)

MBA (rel. IC_{50}): 2.7

IL-6 dep. prol. (rel. IC_{50}): 12

The previous examples may also be made using as starting material instead of rapamycin, 9-deoxo-rapamycin, 26-dihydro rapamycin, or 9-deoxo-, 26-dihydro-rapamycin. Alternatively, and preferably, as described e.g., in example 20, the rapamycin compounds of the above examples may be hydrogenated or reduced, using suitable protecting groups where necessary. The following novel methods for reducing the keto at C9, or hydrogenating the keto at C26 are provided:

Example 29

Removal of keto at C9

A stream of hydrogen sulfide is passed at room temperature through a stirred solution of 3.2 g (3.5 mmol) of rapamycin in 50 ml pyridine and 2.5 ml DMF. The solution turns from colorless to yellow. After two hours, the introduction of hydrogen sulfide is stopped and stirring is continued for five days, during which time the solution turns gradually orange. TLC and HPLC analysis verifies complete consumption of the starting material and the presence of a single new compound. The solution is purged with nitrogen for one hour and concentrated under reduced pressure. The residue is taken up in ethyl acetate, washed with cold 1N HCl solution (3 \times), saturated sodium bicarbonate solution and saturated brine. The organic layer is dried over anhydrous sodium sulfate and filtered and concentrated under reduced pressure. The residue is taken up in ether and the precipitated sulfur is filtered off. Concentration of the ethereal solution followed by column chromatography on silica gel (10:4:1 $CH_2Cl_2/i-Pr_2O/MeOH$) yields 9-deoxorapamycin as a colorless foam. The identity of the product is confirmed by nuclear magnetic resonance spectroscopy (NMR), mass spectrometry (MS), and/or infrared spectroscopy (IR). 9-deoxorapamycin is found to exhibit the following characteristic physical data: 1H NMR ($CDCl_3$) δ : 1.61 (3H, d, $J=1$ Hz, C17- CH_3), 1.76 (3H, d, $J=1.2$ Hz, C29- CH_3), 2.42 (1H, d, $J=14.5$ Hz, H-9), 2.74 (1H, d, $J=14.5$ Hz, H-9), 3.13 (3H, s, C16- OCH_3), 3.5 (3H, s, C27- OCH_3), 3.40 (3H, s, C39- OCH_3), 5.40 (1H, d, $J=10$ Hz, H-30), 5.57 (1H, dd, $J=8.6$ Hz, $J_2=15$ Hz, H-22), 5.96 (1H, d, $J=9$ Hz, H-18), 6.09 (1H, d, $J=1.7$ Hz, 10-OH), 6.15 (1H, dd, $J_1=10$ Hz, $J_2=15$ Hz, H-21), 6.37 (1H, dd, $J_1=1.5$ Hz, $J_2=5$ Hz, H-19), 6.38 (1H, $J=9.5$ Hz, H-20).

^{13}C NMR ($CDCl_3$) δ : 838.5 (C-9), 98.0 (C-10), 170.7 (C-1), 173.0 (C-8), 208.8 (C-32), 216.9 (C-26).

MS(FAB) m/z 922 [$M+Na^+$], 899 (M^+), 881 [$M-(H_2O)^+$], 868 [$M-(OCH_3)^+$], 850 [$M-(H_2O+OCH_3)^+$].

IR (major peaks)(cm^{-1}) 987, 1086, 1193, 1453, 1616, 1717, 1739, 3443.

24

MBA (rel. IC_{50}): 1

MLR (rel. IC_{50}): 14

IL-6 dep. prol. (rel. IC_{50}): 9

Example 30

Dihydrogenation of keto at C26

To a stirred solution of 421 mg (1.6 mmol) of tetramethylammonium triacetoxymethylborohydride in 2 ml of acetonitrile is added 2 ml of acetic acid. The resulting mixture is stirred for 30 minutes at room temperature and cooled to -35 °C. At this temperature a solution of 180 mg (0.2 mmol) of 9-deoxo-rapamycin 1 ml of acetonitrile is added and the resulting mixture is allowed to stir for 24 hours. The mixture is quenched with a saturated sodium potassium tartrate solution and allowed to warm to room temperature. Stirring is continued until both layers are clear and ethyl acetate is added. The layers are separated and the aqueous layer is extracted twice with ethyl acetate. The resulting organic solution is washed once with a 10% sodium bicarbonate solution and twice with saturated brine, then dried over anhydrous sodium sulfate, filtered and concentrated under reduced pressure. The residue is purified by column chromatography on silica gel (90:10 $AcOEt$ -hexane). As the starting material in this case was 9-deoxorapamycin, the final compound is 9-deoxorapamycin, 26-dihydro-rapamycin is produced as a colorless foam, having the following characteristic spectroscopic data: 1H NMR ($CDCl_3$) (major isomer) δ : 0.9 (3H, d, $J=6.9$ Hz, $CHCH_3$), 0.93 (3H, d, $J=6.9$ Hz, $CHCH_3$), 1.00 (3H, d, $J=6.9$ Hz, $CHCH_3$), 1.07 (3H, d, $J=6.9$ Hz, $CHCH_3$), 1.17 (3H, d, $J=6.9$ Hz, $CHCH_3$), 1.61 (3H, d, $J=1$ Hz, C17- CH_3), 1.73 (3H, d, $J=1.2$ Hz, C29- CH_3), 2.43 (1H, dd, $J=4.1$ and 16.0 Hz, H-33), 2.46 (1H, d, $J=13.8$ Hz, H-9), 2.58 (1H, m, H-25), 2.77 (1H, d, $J=13.8$ Hz, H-9), 2.82 (1H, dd, $J=8.3$ and 16.0 Hz, H-33), 3.17 (1H, dd, $J=4.1$ and 9.2 Hz, H-27), 3.61 (2H, m, H-14 and H28), 5.19 (1H, ddd, $J=4.1$, 4.6 and 8.3 Hz, H-34), 5.49 (1H, broad d, $J=5.0$ Hz, H-2), 5.56 (1H, d, $J=9.1$ Hz, H-30), 5.75 (1H, dd, $J=6.9$ and 14.7 Hz, H-22), 5.76 (1H, s, 10-OH), 5.99 (1H, broad d, $J=9.2$ Hz, H-18), 6.10 (1H, m, H-21), 6.36 (2H, m, H19 and H-20);

MS (FAB) m/z 924 [$(M+Na)$], 852 [$(M-(H_2O+CH_3O))^+$].

MBA (rel. IC_{50}): 47

MLR (rel. IC_{50}): 134

IL-6 dep. prol. (rel. IC_{50}): 78

26-dihydro-rapamycin is prepared in the same manner, using rapamycin in place of 9-deoxorapamycin. This product has the following characteristic spectroscopic data:

^{13}C -NMR ($CDCl_3$) (major isomer) δ : 208.3 (C-32); 194.0 (C-9); 169.3 (C-1); 166.6 (C-8); 140.9 (C-22); 136.5 (C-29); 136.2 (C-17); 133.5 (C-20); 129.1 (C-21); 128.7 (C-18); 126.2 (C-30); 125.3 (C-19); 98.6 (C-10); 84.4 (C-39); 83.9 (C-16); 81.6 (C-27); 75.4 (C-34); 74.3 (C-28); 73.9 (C-40); 72.9 (C-26); 67.4 (C-14); 59.1 (27- OCH_3); 56.6 (39- OCH_3); 55.9 (16- OCH_3); 51.3 (C-2); 46.8 (C-31); 44.3 (C-6); 40.4 (C-33); 40.4 (C-25); 39.5 (C-24); 38.8 (C-15); 38.0 (C-36); 34.3 (C-23); 34.2 (C-38); 33.5 (C-11); 33.3 (C-37); 33.2 (C-35); 31.5 (C-42); 31.3 (C-41); 30.9 (C-13); 27.1 (C-12); 27.0 (C-3); 25.2 (C-5); 21.4 (23- CH_3); 20.7 (C-4); 17.3 (31-

US 6,440,990 B1

25

CH₃); 16.1 (31-CH₃); 15.9 (35-CH₃); 14.4 (25-CH₃); 14.2 (29-CH₃); 10.3 (17-CH₃).

MS (FAB) m/z: 884 (M—OCH₃, 35%); 866 (M—[OCH₃+H₂O], 100%); 848 (M—[OCH₃+2H₂O], 40%).

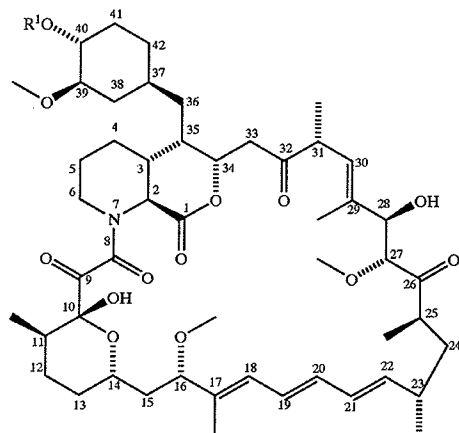
MBA (rel. IC₅₀): 1.7

MLR (rel. IC₅₀): 1

IL-6 dep. prol. (rel. IC₅₀): 7.5

What is claimed is:

1. A method for treating or preventing graft versus host disease or for treating an autoimmune disease selected from the group consisting of arthritis, rheumatic diseases, autoimmune hematological disorders, systemic lupus erythematosus, polychondritis, scleroderma, Wegener granulomatosis, dermatomyositis, chronic active hepatitis, myasthenia gravis, psoriasis, Steven-Johnson syndrome, idiopathic sprue, autoimmune inflammatory bowel disease, endocrine ophthalmopathy, Grave's disease, sarcoidosis, multiple sclerosis, primary biliary cirrhosis, juvenile diabetes, anterior uveitis, posterior uveitis, keratoconjunctivitis sicca, vernal keratoconjunctivitis, interstitial lung fibrosis, psoriatic arthritis, glomerulonephritis (with and without nephrotic syndrome), and juvenile dermatomyositis comprising administering to a person in need thereof an effective amount of a compound of the formula



wherein R¹ is hydroxy(C₁₋₆)alkyl or hydroxy(C₁₋₃)alkoxy (C₁₋₃)alkyl.

2. A method of claim 1 wherein R¹ is hydroxy(C₁₋₃)alkyl or hydroxy(C₁₋₃)alkoxy(C₁₋₃)alkyl.

3. A method of claim 1 wherein R¹ is hydroxy(C₁₋₃)alkyl.

4. A method of claim 1 wherein R¹ is hydroxy(C₁₋₃)alkoxy(C₁₋₃)alkyl.

5. A method of claim 1 wherein the compound is 40-O-(3-hydroxypropyl)-rapamycin.

6. A method of claim 1 wherein the compound is 40-O-[2-(2-hydroxyethoxy)ethyl]-rapamycin.

7. A method of claim 1 wherein the autoimmune disease is selected from the group consisting of rheumatoid arthritis, arthritis chronica progrediente, arthritis deformans, hemolytic anaemia, aplastic anaemia, pure red cell anaemia, idiopathic thrombocytopenia, ulcerative colitis, Crohn's disease, idiopathic nephrotic syndrome, and minimal change nephropathy.

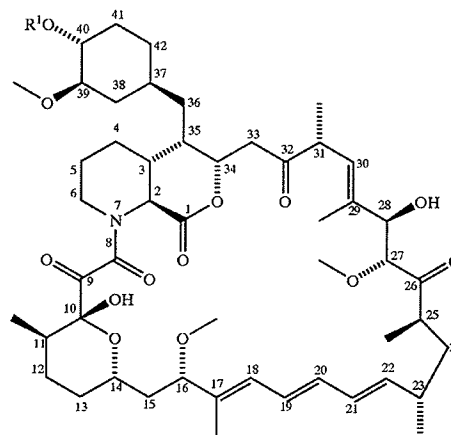
8. A method for treating or preventing graft versus host disease or for treating an autoimmune disease selected from

26

the group consisting of arthritis, rheumatic diseases, autoimmune hematological disorders, systemic lupus erythematosus, polychondritis, scleroderma, Wegener granulomatosis, dermatomyositis, chronic active hepatitis, myasthenia gravis, psoriasis, Steven-Johnson syndrome, idiopathic sprue, autoimmune inflammatory bowel disease, endocrine ophthalmopathy, Grave's disease, sarcoidosis, multiple sclerosis, primary biliary cirrhosis, juvenile diabetes, anterior uveitis, posterior uveitis, keratoconjunctivitis sicca, vernal keratoconjunctivitis, interstitial lung fibrosis, psoriatic arthritis, glomerulonephritis (with and without nephrotic syndrome), and juvenile dermatomyositis comprising administering to a person in need thereof an effective amount of 40-O-(2-hydroxyethyl)-rapamycin.

9. A method of claim 8 wherein the autoimmune disease is selected from the group consisting of rheumatoid arthritis, arthritis chronica progrediente, arthritis deformans, hemolytic anaemia, aplastic anaemia, pure red cell anaemia, idiopathic thrombocytopenia, ulcerative colitis, Crohn's disease, idiopathic nephrotic syndrome, and minimal change nephropathy.

10. A method for treating or preventing the rejection of a transplanted organ or graft versus host disease or for treating an autoimmune disease selected from the group consisting of arthritis, rheumatic diseases, autoimmune hematological disorders, systemic lupus erythematosus, polychondritis, scleroderma, Wegener granulomatosis, dermatomyositis, chronic active hepatitis, myasthenia gravis, psoriasis, Steven-Johnson syndrome, idiopathic sprue, autoimmune inflammatory bowel disease, endocrine ophthalmopathy, Grave's disease, sarcoidosis, multiple sclerosis, primary biliary cirrhosis, juvenile diabetes, anterior uveitis, posterior uveitis, keratoconjunctivitis sicca, vernal keratoconjunctivitis, interstitial lung fibrosis, psoriatic arthritis, glomerulonephritis (with and without nephrotic syndrome), and juvenile dermatomyositis comprising administering to a host in need thereof an effective amount of a first compound of the formula



wherein R¹ is hydroxy(C₁₋₆)alkyl or hydroxy(C₁₋₃)alkoxy (C₁₋₃)alkyl

and a second compound which is Ciclosporin, FK-506, an immunosuppressive derivative of Ciclosporin or FK-506, a corticosteroid, azathioprene, an immunosuppressive monoclonal antibody, an antiviral, or an antibiotic.

US 6,440,990 B1

27

11. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is Ciclosporin.

12. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is FK-506.

13. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is an immunosuppressive derivative of Ciclosporin or FK-506.

14. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is a corticosteroid.

15. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is azathioprene.

16. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is an immunosuppressive monoclonal antibody.

17. A method of claim 16 wherein the second compound is an antibody to CD25.

18. A method of claim 16 wherein the second compound is an antibody to CD3.

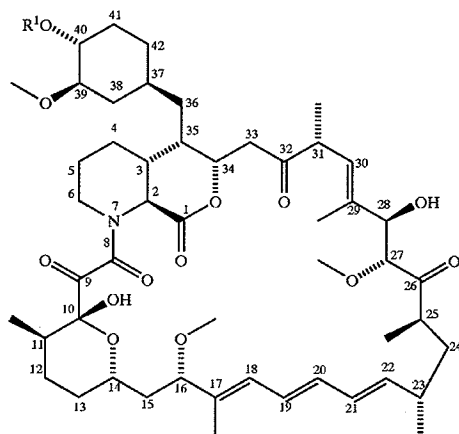
19. A method of claim 16 wherein the second compound is an antibody to CD45.

20. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is an antiviral.

21. A method of claim 10 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is an antibiotic.

22. A method of claim 10 wherein the autoimmune disease is selected from the group consisting of rheumatoid arthritis, arthritis chronica progrediente, arthritis deformans, hemolytic anaemia, aplastic anaemia, pure red cell anaemia, idiopathic thrombocytopenia, ulcerative colitis, Crohn's disease, idiopathic nephrotic syndrome, and minimal change nephropathy.

23. A pharmaceutical composition comprising a therapeutically effective amount of a compound of the formula



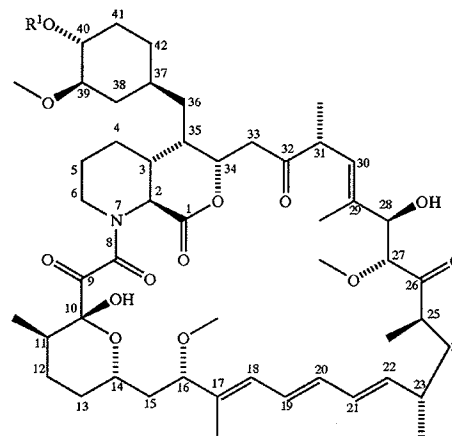
wherein R¹ is hydroxy(C₁₋₃)alkyl and a pharmaceutically acceptable carrier therefor.

24. A composition of claim 23 wherein the compound is 40-O-(3-hydroxypropyl)-rapamycin.

28

25. A pharmaceutical composition comprising a therapeutically effective amount of 40-O-(2-hydroxyethyl)-rapamycin and a pharmaceutically acceptable carrier therefor.

26. A pharmaceutical composition comprising a therapeutically effective amount of a first compound which is of the formula



wherein R¹ is hydroxy(C₁₋₆)alkyl or hydroxy(C₁₋₃)alkoxy (C₁₋₃)alkyl

and a second compound which is Ciclosporin, FK-506, an immunosuppressive derivative of Ciclosporin or FK-506, a corticosteroid, azathioprene, an immunosuppressive monoclonal antibody, an antiviral, or an antibiotic, and a pharmaceutically acceptable carrier therefor.

27. A composition of claim 26 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is Ciclosporin.

28. A composition of claim 26 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is FK-506.

29. A composition of claim 26 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is an immunosuppressive derivative of Ciclosporin or FK-506.

30. A composition of claim 26 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is a corticosteroid.

31. A composition of claim 26 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is azathioprene.

32. A composition of claim 26 wherein the first compound is 40-O-(2-hydroxyethyl)-rapamycin and the second compound is an immunosuppressive monoclonal antibody.

33. A composition of claim 32 wherein the second compound is an antibody to CD25.

34. A composition of claim 32 wherein the second compound is an antibody to CD3.

35. A composition of claim 32 wherein the second compound is an antibody to CD45.

* * * * *



US007217286B2

(12) **United States Patent**
Falotico et al.

(10) **Patent No.:** **US 7,217,286 B2**(45) **Date of Patent:** ***May 15, 2007**

(54) **LOCAL DELIVERY OF RAPAMYCIN FOR TREATMENT OF PROLIFERATIVE SEQUELAE ASSOCIATED WITH PTCA PROCEDURES, INCLUDING DELIVERY USING A MODIFIED STENT**

(58) **Field of Classification Search** 623/1.45-1.48;
427/2.1-2.31
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

861,659 A	7/1907	Johnston	464/147
3,051,677 A	8/1962	Rexford	522/156
3,279,996 A	10/1966	Long et al.	424/424
3,526,005 A	9/1970	Bokros	623/11.11
3,599,641 A	8/1971	Sheridan	604/256
3,657,744 A	4/1972	Ersek	128/898
3,744,596 A	7/1973	Sander	188/203
3,779,805 A	12/1973	Alsberg	427/105

(75) **Inventors:** **Robert Falotico**, Bell Mead, NJ (US);
Gerard H. Llanos, Stewartsville, NJ (US)

(73) **Assignee:** **Cordis Corporation**, Miami Lakes, FL (US)

(*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

This patent is subject to a terminal disclaimer.

(Continued)

FOREIGN PATENT DOCUMENTS

DE 3205942 A1 9/1983

(Continued)

OTHER PUBLICATIONS

U.S. Appl. No. 07/819,314, filed Jan. 9, 1992, Morris.

(Continued)

Primary Examiner—Suzette Gherbi

(74) *Attorney, Agent, or Firm*—Woodcock Washburn LLP

(57) **ABSTRACT**

Methods of preparing intravascular stents with a polymeric coating containing macrocyclic lactone (such as rapamycin or its analogs), stents and stent graphs with such coatings, and methods of treating a coronary artery with such devices. The macrocyclic lactone-based polymeric coating facilitates the performance of such devices in inhibiting restenosis.

(65) **Prior Publication Data**

US 2007/0021825 A1 Jan. 25, 2007

Related U.S. Application Data

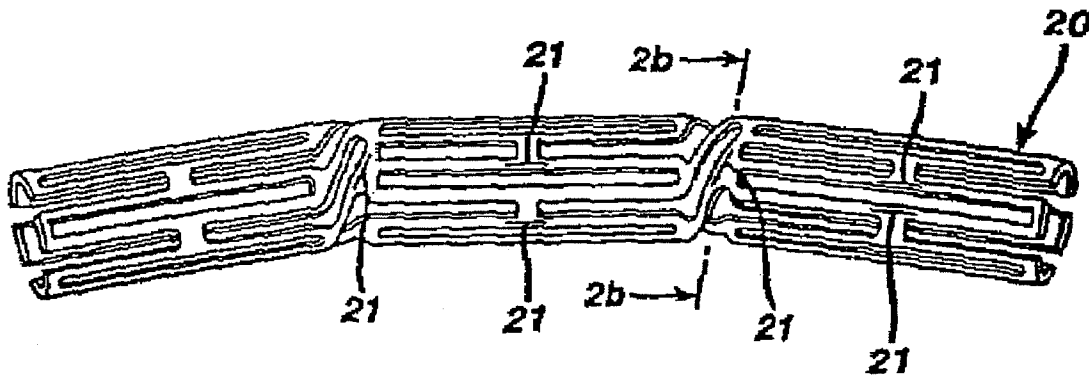
(63) Continuation of application No. 10/951,385, filed on Sep. 28, 2004, which is a continuation of application No. 10/408,328, filed on Apr. 7, 2003, now Pat. No. 6,808,536, which is a continuation of application No. 09/874,117, filed on Jun. 4, 2001, now Pat. No. 6,585,764, which is a continuation of application No. 09/061,568, filed on Apr. 16, 1998, now Pat. No. 6,273,913.

(60) Provisional application No. 60/044,692, filed on Apr. 18, 1997.

(51) **Int. Cl.**
A61F 2/06 (2006.01)

(52) **U.S. Cl.** 623/1.42

5 Claims, 2 Drawing Sheets



US 7,217,286 B2

Page 2

U.S. PATENT DOCUMENTS

3,929,992 A	12/1975	Sehgal et al.	424/122	5,049,403 A	9/1991	Larm et al.	427/2.1
3,932,627 A	1/1976	Margraf	514/56	5,053,048 A	10/1991	Pinchuk	623/1.43
3,948,254 A	4/1976	Zaffaroni	128/833	5,059,166 A	10/1991	Fischell et al.	600/3
3,952,334 A	4/1976	Bokros et al.	623/11.11	5,061,275 A	10/1991	Wallsten et al.	623/1.22
3,968,800 A	7/1976	Vilasi	606/198	5,061,750 A	10/1991	Feijen et al.	525/54.1
4,069,307 A	1/1978	Higuchi et al.	424/432	5,064,435 A	11/1991	Porter	623/23.7
4,076,285 A	2/1978	Martinez	285/332	5,092,877 A	3/1992	Pinchuk	128/898
4,292,965 A	10/1981	Nash et al.	128/833	5,102,417 A	4/1992	Palmaz	606/195
4,299,226 A	11/1981	Banka	604/509	5,104,404 A	4/1992	Wolff	623/1.16
4,300,244 A	11/1981	Bokros	623/1.13	5,116,365 A	5/1992	Hillstead	623/1.15
4,312,920 A	1/1982	Pierce et al.	428/425.5	5,122,154 A	6/1992	Rhodes	623/1.13
4,321,711 A	3/1982	Mano	623/1.43	5,131,908 A	7/1992	Dardik et al.	600/36
4,323,071 A	4/1982	Simpson et al.	606/194	5,133,732 A	7/1992	Wiktor	623/1.22
4,390,599 A	6/1983	Broyles	428/597	5,134,192 A	7/1992	Feijen et al.	525/54.1
4,413,359 A	11/1983	Akiyama et al.	623/23.72	5,135,536 A	8/1992	Hillstead	606/195
4,423,183 A	12/1983	Close	524/546	5,163,952 A	11/1992	Froix	623/1.18
4,441,216 A	4/1984	Ionescu et al.	623/2.19	5,163,958 A	11/1992	Pinchuk	623/23.49
4,503,569 A	3/1985	Dotter	623/1.19	5,171,217 A	12/1992	March et al.	604/507
4,512,338 A	4/1985	Balko et al.	606/108	5,171,262 A	12/1992	MacGregor	623/1.15
4,550,447 A	11/1985	Seiler, Jr. et al.	623/1.32	5,176,660 A	1/1993	Truckai	604/527
4,553,545 A	11/1985	Maass et al.	606/198	5,176,972 A	1/1993	Bloom et al.	430/14
4,560,374 A	12/1985	Hammerslag	604/509	5,178,618 A	1/1993	Kandarpa	606/28
4,562,596 A	1/1986	Kronberg	623/1.32	5,180,366 A	1/1993	Woods	604/96.01
4,565,740 A	1/1986	Golander et al.	428/409	5,182,317 A	1/1993	Winters et al.	523/112
4,580,568 A	4/1986	Gianturco	606/198	5,185,408 A	2/1993	Tang et al.	525/415
4,613,665 A	9/1986	Larm	536/20	5,192,307 A	3/1993	Wall	623/1.2
4,642,111 A	2/1987	Sakamoto et al.	424/492	5,195,984 A	3/1993	Schalz	623/1.2
4,655,771 A	4/1987	Wallsten	623/1.22	5,213,576 A	5/1993	Abiuso et al.	604/103.01
4,656,083 A	4/1987	Hoffman et al.	442/123	5,213,898 A	5/1993	Larm et al.	428/422
4,676,241 A	6/1987	Webb et al.	128/207.14	5,217,483 A	6/1993	Tower	623/1.15
4,678,466 A	7/1987	Rosenwald	424/427	5,222,971 A	6/1993	Willard et al.	606/198
4,687,482 A	8/1987	Hanson	623/1.49	5,226,913 A	7/1993	Pinchuk	140/71 R
4,689,046 A	8/1987	Bokros	623/2.31	5,234,456 A	8/1993	Silvestrini	623/1.2
4,731,054 A	3/1988	Billeter et al.	604/93.01	5,246,445 A	9/1993	Yachia et al.	623/1.2
4,733,665 A	3/1988	Palmaz	606/108	5,258,020 A	11/1993	Froix	128/898
4,733,665 A	3/1988	Palmaz	606/108	5,258,021 A	11/1993	Duran	623/2.3
4,739,762 A	4/1988	Palmaz	623/1.11	5,262,451 A	11/1993	Winters et al.	523/112
4,740,207 A	4/1988	Kreamer	623/1.15	5,266,073 A	11/1993	Wall	623/1.2
4,749,585 A	6/1988	Greco et al.	428/422	5,272,012 A	12/1993	Opolski	428/423.1
4,753,652 A	6/1988	Langer et al.	623/1.42	5,275,622 A	1/1994	Lazarus et al.	623/1.11
4,760,849 A	8/1988	Kropf	606/191	5,282,823 A	2/1994	Schwartz et al.	623/1.22
4,768,507 A	9/1988	Fischell et al.	623/1.11	5,282,824 A	2/1994	Gianturco	623/1.13
4,776,337 A	10/1988	Palmaz	623/1.11	5,283,257 A	2/1994	Gregory et al.	514/458
4,786,500 A	11/1988	Wong	424/422	5,288,711 A	2/1994	Mitchell et al.	424/122
4,787,899 A	11/1988	Lazarus	623/1.11	5,290,305 A	3/1994	Inoue	623/1.2
4,800,882 A	1/1989	Gianturco	606/194	5,292,331 A	3/1994	Boneau	623/1.16
4,810,784 A	3/1989	Larm	536/20	5,292,802 A	3/1994	Rhee et al.	525/54.1
4,856,516 A	8/1989	Hillstead	606/194	5,304,121 A	4/1994	Sahatjian	604/509
4,871,357 A	10/1989	Hsu et al.	604/266	5,304,200 A	4/1994	Spaulding	623/1.16
4,872,867 A	10/1989	Joh	604/269	5,306,250 A	4/1994	March et al.	604/104
4,876,109 A	10/1989	Mayer et al.	604/269	5,308,862 A	5/1994	Ohlstein	514/411
4,886,062 A	12/1989	Wiktor	606/194	5,308,889 A	5/1994	Rhee et al.	523/113
4,907,336 A	3/1990	Gianturco	29/515	5,314,444 A	5/1994	Gianturco	606/195
4,916,193 A	4/1990	Tang et al.	525/413	5,314,472 A	5/1994	Fontaine	623/1.22
4,954,126 A	9/1990	Wallsten	600/36	5,328,471 A	7/1994	Slepian	604/101.03
4,969,458 A	11/1990	Wiktor	623/1.11	5,334,301 A	8/1994	Heinke et al.	204/267
4,990,131 A	2/1991	Dardik et al.	600/36	5,336,518 A	8/1994	Narayanan et al.	427/470
4,990,155 A	2/1991	Wilkoff	606/191	5,338,770 A	8/1994	Winters et al.	523/112
4,994,071 A	2/1991	MacGregor	606/194	5,342,348 A	8/1994	Kaplan	604/891.1
4,994,298 A	2/1991	Yasuda	427/490	5,342,387 A	8/1994	Summers	606/198
4,998,923 A	3/1991	Samson et al.	606/194	5,342,621 A	8/1994	Eury	606/198
5,015,253 A	5/1991	MacGregor	623/1.15	5,354,308 A	10/1994	Simon et al.	623/1.15
5,019,090 A	5/1991	Pinchuk	623/1.15	5,356,433 A	10/1994	Rowland et al.	424/422
5,019,096 A	5/1991	Fox, Jr. et al.	600/36	5,366,504 A	11/1994	Andersen et al.	623/1.5
5,029,877 A	7/1991	Fedeli	277/354	5,368,566 A	11/1994	Crocker	604/101.02
5,034,265 A	7/1991	Hoffman et al.	442/126	5,370,683 A	12/1994	Fontaine	623/1.22
5,035,706 A	7/1991	Gianturco et al.	606/198	5,370,691 A	12/1994	Samson	623/1.22
5,041,100 A	8/1991	Rowland et al.	604/265	5,375,612 A	12/1994	Cottenceau et al.	128/899
5,041,126 A	8/1991	Gianturco	623/1.15	5,376,112 A	12/1994	Duran	623/1.26
5,047,020 A	9/1991	Hsu	604/266	5,378,475 A	1/1995	Smith et al.	424/473
5,049,132 A	9/1991	Shaffer et al.	604/101.02	5,380,299 A	1/1995	Fearnot et al.	604/265
				5,382,261 A	1/1995	Palnaz	606/158
				5,383,853 A	1/1995	Jung et al.	604/103.04

US 7,217,286 B2

Page 3

5,383,928 A	1/1995	Scott et al.	623/1.12	5,609,629 A	3/1997	Fearnot et al.	623/1.42
5,387,235 A	2/1995	Chuter	623/1.11	5,616,608 A	4/1997	Kinsella et al.	514/449
5,389,106 A	2/1995	Tower	623/1.15	5,620,984 A	4/1997	Bianco et al.	514/263.36
5,393,772 A	2/1995	Yue et al.	514/410	5,621,102 A	4/1997	Bianco et al.	544/267
5,395,390 A	3/1995	Simon et al.	623/1.18	5,622,975 A	4/1997	Singh et al.	514/324
5,397,355 A	3/1995	Marin et al.	623/1.2	5,624,411 A	4/1997	Tuch	604/265
5,399,352 A	3/1995	Hanson	424/423	5,628,785 A	5/1997	Schwartz et al.	128/898
5,403,341 A	4/1995	Solar	606/198	5,629,077 A	5/1997	Turnlund et al.	623/1.15
5,405,377 A	4/1995	Cragg	623/1.2	5,629,315 A	5/1997	Bianco et al.	514/263.36
5,409,696 A	4/1995	Narayanan et al.	424/78.17	5,632,763 A	5/1997	Glastra	623/1.15
5,411,549 A	5/1995	Peters	623/1.15	5,632,771 A	5/1997	Boatman et al.	623/1.15
5,415,619 A	5/1995	Lee et al.	600/36	5,632,776 A	5/1997	Kurumatani et al.	424/423
5,417,969 A	5/1995	Hsu et al.	424/78.27	5,632,840 A	5/1997	Campbell	156/196
5,419,760 A	5/1995	Narciso, Jr.	604/8	5,635,201 A	6/1997	Fabo	424/443
D359,802 S	6/1995	Fontaine	D24/155	5,637,113 A	6/1997	Tartaglia et al.	623/1.42
5,421,955 A	6/1995	Lau et al.	216/48	5,643,312 A	7/1997	Fischell et al.	623/1.15
5,423,885 A	6/1995	Williams	623/1.17	5,643,939 A	7/1997	Ohlstein	514/411
5,429,618 A	7/1995	Keogh	604/266	5,646,160 A	7/1997	Morris et al.	514/291
5,429,634 A	7/1995	Narciso, Jr.	604/890.1	5,648,357 A	7/1997	Bianco et al.	514/263.36
5,439,446 A	8/1995	Barry	604/103.01	5,649,952 A	7/1997	Lam	623/1.15
5,441,515 A	8/1995	Khosravi et al.	606/194	5,649,977 A	7/1997	Campbell	623/1.15
5,441,516 A	8/1995	Wang et al.	606/198	5,651,174 A	7/1997	Schwartz et al.	29/527.2
5,441,947 A	8/1995	Dodge et al.	514/179	5,652,243 A	7/1997	Bianco et al.	514/263.36
5,443,458 A	8/1995	Evry	604/891.1	5,653,747 A	8/1997	Dereume	623/1.54
5,443,477 A	8/1995	Marin et al.	606/198	5,653,992 A	8/1997	Bezwada et al.	424/426
5,443,496 A	8/1995	Schwartz et al.	623/1.16	5,662,609 A	9/1997	Slepian	604/101.03
5,443,498 A	8/1995	Fontaine	623/1.17	5,665,591 A	9/1997	Sonenshein et al.	435/375
5,443,500 A	8/1995	Sigwart	623/1.17	5,665,728 A	9/1997	Morris et al.	424/122
5,447,724 A	9/1995	Helmus et al.	424/426	5,667,764 A	9/1997	Kopia et al.	424/1.45
5,449,372 A	9/1995	Schmaltz et al.	606/198	5,669,924 A	9/1997	Shaknovich	623/1.11
5,449,373 A	9/1995	Pinchasik et al.	606/198	5,670,506 A	9/1997	Leigh et al.	514/141
5,449,382 A	9/1995	Dayton	623/1.15	5,672,638 A	9/1997	Verhoeven et al.	523/112
5,464,450 A	11/1995	Buscemi et al.	632/1.2	5,674,242 A	10/1997	Phan et al.	606/198
5,464,540 A	11/1995	Friesen et al.	210/640	5,679,400 A	10/1997	Tuch	427/2.14
5,464,650 A	11/1995	Berg et al.	427/2.3	5,679,659 A	10/1997	Verhoeven et al.	514/56
5,474,563 A	12/1995	Myler et al.	606/108	5,684,061 A	11/1997	Ohnishi et al.	523/114
5,486,357 A	1/1996	Narayanan	424/78.17	5,691,311 A	11/1997	Maraganore et al.	514/12
5,496,365 A	3/1996	Sgro	623/1.2	5,693,085 A	12/1997	Buirge et al.	623/1.13
5,500,013 A	3/1996	Buscemi et al.	623/1.22	5,697,967 A	12/1997	Dinh et al.	128/898
5,510,077 A	4/1996	Dinh et al.	264/485	5,697,971 A	12/1997	Fischell et al.	623/1.15
5,512,055 A	4/1996	Domb et al.	604/265	5,700,286 A	12/1997	Tartaglia et al.	623/1.15
5,516,781 A	5/1996	Morris et al.	514/291	5,707,385 A	1/1998	Williams	606/192
5,519,042 A	5/1996	Morris et al.	514/378	5,709,874 A	1/1998	Hanson et al.	424/423
5,523,092 A	6/1996	Hanson et al.	424/423	5,713,949 A	2/1998	Jayaraman	623/1.12
5,527,354 A	6/1996	Fontaine et al.	623/1.17	5,716,981 A	2/1998	Hunter et al.	514/449
5,545,208 A	8/1996	Wolff et al.	623/1.22	5,725,549 A	3/1998	Lam	623/1.15
5,551,954 A	9/1996	Buscemi et al.	623/1.15	5,725,567 A	3/1998	Wolff et al.	623/1.42
5,554,182 A	9/1996	Dinh et al.	600/36	5,728,150 A	3/1998	McDonald et al.	623/1.15
5,554,954 A	9/1996	Takahashi	327/546	5,728,420 A	3/1998	Keogh	427/2.12
5,556,413 A	9/1996	Lam	623/1.2	5,731,326 A	3/1998	Hart et al.	514/323
5,562,922 A	10/1996	Lambert	424/486	5,733,327 A	3/1998	Igaki et al.	623/1.5
5,563,146 A	10/1996	Morris	514/291	5,733,920 A	3/1998	Mansuri et al.	514/337
5,569,197 A	10/1996	Helmus	604/102.02	5,733,925 A	3/1998	Kunz et al.	514/449
5,569,295 A	10/1996	Lam	606/198	5,735,897 A	4/1998	Buirge	623/1.15
5,569,462 A	10/1996	Martinson et al.	424/423	5,739,138 A	4/1998	Bianco et al.	514/263.36
5,569,463 A	10/1996	Helmus et al.	424/426	5,755,734 A	5/1998	Richter et al.	606/194
5,571,089 A	11/1996	Crocker	604/103.01	5,755,772 A	5/1998	Evans et al.	128/898
5,571,166 A	11/1996	Dinh et al.	128/898	5,759,205 A	6/1998	Valentini	433/173
5,574,059 A	11/1996	Regunathan et al.	514/397	5,769,883 A	6/1998	Buscemi et al.	623/1.42
5,575,818 A	11/1996	Pinchuk	623/1.15	5,776,184 A	7/1998	Tuch	623/1.11
5,578,075 A	11/1996	Dayton	623/1.15	5,780,476 A	7/1998	Underiner et al.	514/263.36
5,580,873 A	12/1996	Bianco et al.	514/263.36	5,782,908 A	7/1998	Cahalan et al.	623/1.13
5,580,874 A	12/1996	Bianco et al.	514/263.36	5,788,979 A	8/1998	Alt et al.	424/426
5,591,140 A	1/1997	Narayanan et al.	604/269	5,792,106 A	8/1998	Mische	604/103.01
5,591,197 A	1/1997	Orth et al.	623/1.16	5,792,772 A	8/1998	Bianco et al.	514/263.36
5,591,224 A	1/1997	Schwartz et al.	623/1.22	5,798,372 A	8/1998	Davies et al.	514/356
5,591,227 A	1/1997	Dinh et al.	623/1.22	5,799,384 A	9/1998	Schwartz et al.	29/458
5,599,352 A	2/1997	Dinh et al.	128/898	5,800,507 A	9/1998	Schwartz	623/1.11
5,603,722 A	2/1997	Phan et al.	623/1.18	5,800,508 A	9/1998	Goicoechea et al.	623/1.15
5,604,283 A	2/1997	Wada et al.	524/236	5,807,861 A	9/1998	Klein et al.	514/263.35
5,605,696 A	2/1997	Eury et al.	424/423	5,811,447 A	9/1998	Kunz et al.	514/411
5,607,463 A	3/1997	Schwartz et al.	623/1.44	5,820,917 A	10/1998	Tuch	427/2.1
5,607,475 A	3/1997	Cahalan et al.	424/423	5,820,918 A	10/1998	Ronan et al.	427/2.1

US 7,217,286 B2

Page 4

5,824,048 A	10/1998	Tuch	128/898	6,284,305 B1	9/2001	Ding et al.	427/2.28
5,824,049 A	10/1998	Ragheb et al.	623/1.44	6,287,320 B1	9/2001	Slepian	606/194
5,827,587 A	10/1998	Fukushi	428/36.6	6,287,628 B1	9/2001	Hossainy et al.	427/2.3
5,833,651 A	11/1998	Donovan et al.	604/509	6,299,604 B1	10/2001	Ragheb et al.	604/265
5,837,008 A	11/1998	Berg et al.	128/898	6,306,144 B1	10/2001	Sydney et al.	606/108
5,837,313 A	11/1998	Ding et al.	427/2.21	6,306,166 B1	10/2001	Barry et al.	623/1.46
5,843,120 A	12/1998	Israel et al.	623/1.15	6,306,176 B1	10/2001	Whitbourne	623/23.59
5,843,166 A	12/1998	Lentz et al.	623/1.13	6,306,421 B1	10/2001	Kunz et al.	424/423
5,843,172 A	12/1998	Yan	623/1.42	6,309,380 B1	10/2001	Larson et al.	604/502
5,849,034 A	12/1998	Schwartz	606/36	6,309,660 B1	10/2001	Hsu et al.	424/425
5,851,217 A	12/1998	Wolff et al.	606/191	6,313,264 B1	11/2001	Caggiano et al.	530/350
5,851,231 A	12/1998	Wolff et al.	623/1.42	6,316,018 B1	11/2001	Ding et al.	424/423
5,858,900 A	1/1999	Walsh	514/44	6,335,029 B1	1/2002	Kamath et al.	424/423
5,861,027 A	1/1999	Trapp	623/1.15	6,358,556 B1	3/2002	Ding et al.	427/2.24
5,865,814 A	2/1999	Tuch	623/1.15	6,369,039 B1	4/2002	Palasis et al.	424/93.2
5,871,535 A	2/1999	Wolff et al.	128/898	6,379,382 B1	4/2002	Yang	623/1.42
5,873,904 A	2/1999	Ragheb et al.	623/1.13	6,387,121 B1	5/2002	Alt	623/1.15
5,876,433 A	3/1999	Lunn	623/1.15	6,403,635 B1	6/2002	Kinsella et al.	514/449
5,877,224 A	3/1999	Brocchini et al.	514/772.2	6,407,067 B1	6/2002	Schafer	514/19
5,879,697 A	3/1999	Ding et al.	424/422	6,517,858 B1	2/2003	Le Moel et al.	424/424
5,882,335 A	3/1999	Leone et al.	604/103.02	6,517,889 B1	2/2003	Jayaraman	427/2.24
5,891,108 A	4/1999	Leone et al.	604/264	6,545,097 B2	4/2003	Pinchuk et al.	525/240
5,893,840 A	4/1999	Hull et al.	604/103.02	6,585,764 B2	7/2003	Wright et al.	623/1.42
5,897,911 A	4/1999	Loeffler	427/2.25	6,620,194 B2	9/2003	Ding et al.	623/1.42
5,900,246 A	5/1999	Lambert	424/429	6,746,773 B2	6/2004	Llanos et al.	428/421
5,902,266 A	5/1999	Leone et al.	604/509	6,776,796 B2	8/2004	Llanos et al.	623/1.46
5,916,910 A	6/1999	Lai	514/423	6,808,536 B2	10/2004	Wright et al.	623/1.42
5,922,393 A	7/1999	Jayaraman	427/2.3	2001/0007083 A1	7/2001	Roorda	623/1.15
5,932,243 A	8/1999	Fricker et al.	424/450	2001/0029351 A1	10/2001	Falotico et al.	604/103.02
5,932,299 A	8/1999	Katoot	427/508	2001/0029660 A1	10/2001	Johnson	29/557
5,932,580 A	8/1999	Levitzi et al.	181/152	2001/0032014 A1	10/2001	Yang et al.	623/1.15
5,951,586 A	9/1999	Berg et al.	606/198	2001/0034363 A1	10/2001	Li et al.	514/449
5,957,971 A	9/1999	Schwartz	623/1.15	2001/0037145 A1	11/2001	Guruwaiya et al.	623/1.15
5,968,091 A	10/1999	Pinchuk et al.	623/1.16	2002/0010418 A1	1/2002	Lary et al.	604/101.04
5,972,027 A	10/1999	Johnson	623/1.42	2002/0032477 A1	3/2002	Helmus et al.	623/1.2
5,976,534 A	11/1999	Hart et al.	424/145.1	2002/0041899 A1	4/2002	Chudzik et al.	424/487
5,977,163 A	11/1999	Li et al.	514/449	2002/0061326 A1	5/2002	Li et al.	424/424
5,980,553 A	11/1999	Gray et al.	623/1.15	2002/0068969 A1	6/2002	Shanley et al.	623/1.16
5,980,566 A	11/1999	Alt et al.	623/23.7	2002/0071902 A1	6/2002	Ding et al.	427/2.24
5,980,972 A	11/1999	Ding	427/2.24	2002/0082680 A1	6/2002	Shanley et al.	623/1.16
5,981,568 A	11/1999	Kunz et al.	514/411	2002/0082685 A1	6/2002	Sirhan et al.	623/1.42
5,985,307 A	11/1999	Hanson et al.	424/423	2002/0091433 A1	7/2002	Ding et al.	623/1.2
5,997,468 A	12/1999	Wolff et al.	606/36	2002/0095114 A1	7/2002	Palasis	604/96.01
6,004,346 A	12/1999	Wolff et al.	623/23.71	2002/0099438 A1	7/2002	Furst	623/1.16
6,015,432 A	1/2000	Rakos et al.	623/1.13	2002/0103526 A1	8/2002	Steinke	623/1.11
6,039,721 A	3/2000	Johnson et al.	604/508	2002/0119178 A1	8/2002	Levesque et al.	424/423
6,059,813 A	5/2000	Vrba et al.	606/198	2002/0123505 A1	9/2002	Mollison et al.	514/291
6,071,305 A	6/2000	Brown et al.	623/1.43	2002/0127327 A1	9/2002	Schwartz et al.	427/2.15
6,074,659 A	6/2000	Kunz et al.	424/423	2002/0133222 A1	9/2002	Das	623/1.16
6,080,190 A	6/2000	Schwartz et al.	623/1.22	2002/0133224 A1	9/2002	Bajgar et al.	623/1.39
6,096,070 A	8/2000	Ragheb et al.	623/1.39	2002/0165608 A1	11/2002	Llanos	604/500
6,120,536 A	9/2000	Ding et al.	623/1.43	2002/0193475 A1	12/2002	Hossainy et al.	524/113
6,120,847 A	9/2000	Yang et al.	427/335	2003/0065377 A1	4/2003	Davila et al.	604/265
6,136,798 A	10/2000	Cody et al.	514/141	2003/0216699 A1	11/2003	Falotico	604/265
6,140,127 A	10/2000	Sprague	435/395	2004/0049265 A1	3/2004	Ding et al.	623/1.42
6,146,358 A	11/2000	Rowe	604/103	2004/0243097 A1	12/2004	Falotico et al.	604/500
6,153,252 A *	11/2000	Hossainy et al.	427/2.3	2004/0260268 A1	12/2004	Falotico et al.	604/500
6,159,488 A	12/2000	Nagier et al.	424/423	2005/0002986 A1	1/2005	Falotico et al.	424/426
6,171,232 B1	1/2001	Papandreou et al.	600/36	2005/0004663 A1	1/2005	Llanos et al.	623/1.46
6,171,609 B1	1/2001	Kunz	424/422	2005/0033261 A1	2/2005	Falotico et al.	604/500
6,177,272 B1	1/2001	Nabel et al.	435/320.1	2005/0106210 A1	5/2005	Ding et al.	424/423
6,179,817 B1	1/2001	Zhong	604/265	2005/0187611 A1	8/2005	Ding et al.	623/1.15
6,193,746 B1	2/2001	Strecker	623/1.13	2005/0208200 A1	9/2005	Ding et al.	427/2.25
6,214,901 B1	4/2001	Chudzik et al.	523/113	2006/0088654 A1	4/2006	Ding et al.	427/2.21
6,225,346 B1	5/2001	Tang et al.	514/523	2006/0089705 A1	4/2006	Ding et al.	623/1.15
6,240,616 B1	6/2001	Yan	29/527.2				
6,245,537 B1	6/2001	Williams et al.	435/135				
6,251,920 B1	6/2001	Grainger et al.	514/319				
6,254,632 B1	7/2001	Wu et al.	623/1.15				
6,254,634 B1	7/2001	Anderson et al.	623/1.42				
6,258,121 B1	7/2001	Yang et al.	623/1.46				
6,268,390 B1	7/2001	Kunz	514/411				
6,273,913 B1	8/2001	Wright et al.	623/1.42				

FOREIGN PATENT DOCUMENTS

DE	19723723 A1	12/1998
EP	0 145 166 A2	6/1985
EP	0 177 330 A2	4/1986
EP	0 183 372 A1	6/1986
EP	0 221 570 A2	5/1987

US 7,217,286 B2

Page 5

EP	0 421 729 A2	4/1991
EP	0 540 290 A2	5/1993
EP	0 568 310 A1	11/1993
EP	0 604 022 A1	6/1994
EP	0 621 015 A1	10/1994
EP	0 623 354 A1	11/1994
EP	0 734 698 A2	3/1996
EP	0 712 615 A1	5/1996
EP	0 716 836 A1	6/1996
EP	0 734 721 A2	10/1996
EP	0 747 069 A2	12/1996
EP	0 761 251 A1	3/1997
EP	0 800 801 A1	10/1997
EP	0 540 290 B1	1/1998
EP	0 830 853 A1	3/1998
EP	0 815 803 A1	7/1998
EP	0 850 651 A2	7/1998
EP	0 938 878 A2	9/1999
EP	0 938 878 A3	9/1999
EP	0 950 386 A2	10/1999
EP	0 968 688 A1	1/2000
EP	0 633 032 B1	2/2001
EP	1 192 957 A2	4/2002
EP	1 588 726 A1	10/2005
EP	1 588 727 A1	10/2005
FR	566 807 A1	4/1992
GB	0 662 307 A2	12/1951
GB	1 205 743 A	9/1970
GB	2 135 585 A	9/1984
SU	660689	5/1979
SU	1457921	2/1989
WO	89/03232 A1	4/1989
WO	91/12779 A1	9/1991
WO	92/15286 A1	9/1992
WO	94/01056 A1	1/1994
WO	94/21308 A1	9/1994
WO	94/21309 A1	9/1994
WO	94/24961 A1	11/1994
WO	96/00272 A1	1/1996
WO	96/26689 A1	9/1996
WO	96/32907 A1	10/1996
WO	96/34580 A1	11/1996
WO	97/25000 A1	7/1997
WO	97/33534 A1	9/1997
WO	98/08463 A1	3/1998
WO	98/13344 A1	4/1998
WO	98/19628 A1	5/1998
WO	98/23228 A1	6/1998
WO	98/23244 A1	6/1998
WO	98/34669 A1	8/1998
WO	98/36784 A1	8/1998
WO	98/47447 A1	10/1998
WO	98/56312 A1	12/1998
WO	00/21584 A1	4/2000
WO	00/27445 A1	5/2000
WO	00/27455 A1	5/2000
WO	00/32255 A1	6/2000
WO	00/38754 A1	7/2000
WO	01/87342 A2	11/2001
WO	01/87372 A1	11/2001
WO	01/87373 A1	11/2001
WO	01/87376 A1	11/2001
WO	02/26139 A1	4/2002
WO	02/26271 A1	4/2002
WO	02/26280 A1	4/2002
WO	02/26281 A1	4/2002
WO	03/015664 A1	2/2003
WO	03/057218 A1	7/2003

OTHER PUBLICATIONS

U.S. Appl. No. 08/424,884, filed Apr. 19, 1995, Helmus et al.
 U.S. Appl. No. 08/526,273, filed Sep. 11, 1995, Ding.

U.S. Appl. No. 08/730,542, filed Oct. 11, 1996, Helmus.
 U.S. Appl. No. 09/575,480, filed May 19, 2000, Kopia.
 U.S. Appl. No. 10/431,059, filed May 7, 2003, Falotico.
 U.S. Appl. No. 10/829,074, filed Apr. 21, 2004, Falotico et al.
 U.S. Appl. No. 10/833,200, filed Apr. 27, 2004, Falotico et al.
 U.S. Appl. No. 10/852,517, filed May 24, 2004, Falotico et al.
 Abraham, R. T., "Mammalian target of rapamycin: Immunosuppressive drugs offer new insight into cell growth regulation," *Progress in Inflammation Research*, 2000, Switzerland.
 Alvarado, R. et al., "Evaluation of Polymer-coated Balloon-expandable Stents in Bile Ducts," *Radiology*, 1989, 170, 975-978.
 Badimon, J. J. et al., "Inhibitory Effects of Rapamycin on Intimal Hyperplasia After PTCA," *JACC*, Mar. 1998.
 Bailey et al., "Polymer Coating of Palmaz-Schatz Stent Attenuates Vascular Spasm after Stent Placement," *Circulation*, 82:III-541 (1990).
 Berk, B. C. et al., "Pharmacologic Roles of Heparin and Glucocorticoids to Prevent Restenosis After Coronary Angioplasty," *JACC*, May 1991, 17(6), 111B-117B.
 Bertram, P. G. et al., "The 14-3-3 proteins positively regulate rapamycin-sensitive signaling," *Current Biology*, 1998, 8, 1259-1267.
 Biomaterials Science (B.D. Ratner, Ed.), Academic Press, New York, NY, pp. 228-238, 1996.
 Campbell, G. R. et al., "Phenotypic Modulation of Smooth Muscle Cells in Primary Culture, Vascular Smooth Muscle Cells in Culture," *CRC Press*, 1987, 39-55.
 Chang, M. W. et al., "Adenovirus-mediated Over-expression of the Cyclin/Cyclin-dependent Kinase inhibitor, p21 inhibits Vascular Smooth Muscle Cell Proliferation and Neointima Formation in the Rat Carotid Artery Model of Balloon Angioplasty," *J. Clin. Invest.*, 1995, 96, 2260-2268.
 Chung, J. et al., "Rapamycin-FKBP specifically blocks growth-dependent activation of and signaling by the 70 kd S6 protein kinases," *Cell*, Jun. 26, 1992, 69(7), 1227-1236.
 Clowes, A. W. et al., "Kinetics of cellular proliferation after arterial injury. IV. Heparin inhibits rat smooth muscle mitogenesis and migration," *Circ. Res.*, 1986, 58(6), 839-845.
 Clowes, A. W. et al., Kinetics of Cellular Proliferation after Arterial Injury, *Laboratory Investigation*, 1985, 52(6), 611-616.
 Clowes, A. W. et al., "Significance of quiescent smooth muscle migration in the injured rat carotid artery," *Circ. Res.* 1985, 56(1), 139-145.
 Clowes, A. W., "Suppression by heparin of smooth muscle cell proliferation in injured arteries," *Nature*, 1977, 265(5595), 625-626.
 Colburn, M. D. et al., "Dose responsive suppression of myointimal hyperplasia by dexamethasone," *J. Vasc. Surg.*, 1992, 15, 510-518.
 Currier, J. W. et al., "Colchicine Inhibits Restenosis After Iliac Angioplasty in the Atherosclerotic Rabbit," *Circ.*, 1989, 80(4), 11-66 (Abstract No. 0263).
 Encyclopedia of Polymer Science and Engineering, vol. 7, Fluorocarbon Elastomers, p. 257-267, Mar. 1989.
 Farb, A. et al., "Vascular smooth muscle cell cytotoxicity and sustained inhibition of neointimal formation by fibroblast growth factor 2-saporin fusion protein," *Circ. Res.*, 1997, 80, 542-550.
 Ferns, G. A. A. et al., "Inhibition of Neointimal Smooth Muscle Accumulation After Angioplasty by an Antibody to PDGF," *Science*, 1991, 253, 1129-1132.
 Fischman, D. L. et al., "A Randomized Comparison of Coronary Stent Placement and Balloon Angioplasty in the Treatment of Coronary Artery Disease," *N. Eng. J. Med.*, 1994 Aug. 25, 331(8), 496-501.
 Franklin, S. M. et al., "Pharmacologic prevention of restenosis after coronary angioplasty: review of the randomized clinical trials," *Coronary Artery Disease* Mar. 1993, 4(3), 232-242.
 Fukuyama, J. et al., "Tranilast suppresses the vascular intimal hyperplasia after balloon injury in rabbits fed on a high-cholesterol diet," *Eur. J. Pharmacol.*, 1996, 318, 327-332.
 Gregory, C. R. et al., "Rapamycin Inhibits Arterial Intimal Thickening Caused by Both Alloimmune and Mechanical Injury," *Transplantation*, Jun. 1993, 55(6), 1409-1418.

US 7,217,286 B2

Page 6

- Gregory, C. R. et al., "Treatment with Rapamycin and Mycophenolic Acid Reduces Arterial Intimal Thickening Produced by Mechanical Injury and Allows Endothelial Replacement," *Transplantation*, Mar. 15, 1995, 59(5), 655-661.
- Guyton, J. R. et al., "Inhibition of rat arterial smooth muscle cell proliferation by heparin. In vivo studies with anticoagulant and nonanticoagulant heparin," *Circ. Res.*, 1980, 46, 625-634.
- Hansson, G. K. et al., "Interferon- γ Inhibits Arterial Stenosis After Injury," *Circ.*, 1991, 84, 1266-1272.
- Hashemolhosseini, S. et al., "Rapamycin Inhibition of the G1 to S Transition Is Mediated by Effects on Cyclin D1 mRNA and Protein Stability," *J Biol Chem*, Jun. 5, 1998, 273, 14424-14429.
- Jonasson, J. et al., "Cyclosporin A inhibits smooth muscle proliferation in the vascular response to injury," *Proc. Natl. Acad. Sci.*, 1988, 85, 2303-2306.
- Kuhnt, M. et al., "Microbial Conversion of Rapamycin," *Enzyme and Microbial Technology*, 1997, 21, 405-412.
- Lange, R. A. MD et al., "Restenosis After Coronary Balloon Angioplasty," *Annu. Rev. Med.*, 1991, 42, 127-132.
- Liu, M. W. et al., "Trapidil in Preventing Restenosis After Balloon Angioplasty in the Atherosclerotic Rabbit," *Circ.*, 1990, 81, 1089-1093.
- Liu, M. W., MD et al., "Restenosis After Coronary Angioplasty Potential Biologic Determinants and Role of Intimal Hyperplasia," *Circulation*, 1989, 79, 1374-1387.
- Lundergan, C. F. et al., "Peptide inhibition of Myointimal Proliferation by Angiopeptin, a Somatostatin Analogue," *JACC*, May 1991, 17(6), 132B-136B.
- Majesky, M. W. et al., "Heparin regulates smooth muscle S phase entry in the injured rat carotid artery," *Circ. Res.*, 1987, 61, 296-300.
- Marx, S. O. et al., "Rapamycin-FKBP Inhibits Cell Cycle Regulators of Proliferation in Vascular Smooth Muscle Cells," *Circ. Res.*, 1995, 76, 412-417.
- Nemecek, G. M. et al., "Terbinafine Inhibits the Mitogenic Response to Platelet-Derived Growth Factor in Vitro and Neointimal Proliferation in Vivo," *J. Pharmacol. Exp. Ther.*, 1989, 248, 1167-1174.
- Okada, T. et al., "Localized Release of Perivascular Heparin Inhibits Intimal Proliferation after Endothelial Injury without Systemic Anticoagulation," *Neurosurgery*, 1989, 25, 892-898.
- Poon, M. et al., "Rapamycin Inhibits Vascular Smooth Muscle Cell Migration," *J. Clin. Invest.*, Nov. 1996, 98(10), 2277-2283.
- Popma, J. J. et al., "Clinical trials of restenosis after coronary angioplasty," *Circulation*, Sep. 1991, 84(3), 1426-1436.
- Powell, J. S. et al., "Inhibitors of Angiotensin-Converting Enzyme Prevent Myointimal Proliferation After Vascular Injury," *Science*, 1989, 245, 186-188.
- Rensing, B. J. et al., Coronary restenosis elimination with a sirolimus eluting stent, *European Heart Journal*, 2001, 22, 2125-2130.
- Rodeck, C. et al., "Methods for the Transcervical Collection of Fetal Cells During the First Trimester of Pregnancy," *Prenatal Diagnosis*, 1995, 15, 933-942.
- Ruef, J. MD, et al., "Flavopiridol Inhibits Muscle Cell Proliferation In Vitro and Neointimal Formation In Vivo After Carotid Injury in the Rat," From the Division of Cardiology and Sealy Center for Molecular Cardiology, University of Texas Medical Branch, Galveston; Accepted Apr. 9, 1999; *Circulation* Aug. 10, 1999, pp. 659-665.
- Serruys, P. W. et al., "A comparison of balloon-expandable-stent implantation with balloon angioplasty in patients with coronary artery disease," *N Engl J Med*, Aug. 25, 1994; 331(8), 489-495.
- Serruys, P. W. et al., "Evaluation of ketanserin in the prevention of restenosis after percutaneous transluminal coronary angioplasty. A multicenter randomized double-blind placebo-controlled trial," *Circulation*. Oct. 1993; 88(4 Pt 1), 1588-1601.
- Serruys, P. W. et al., "Heparin-coated Palmaz-Schatz stents in human coronary arteries. Early outcome of the Benestent-II Pilot Study," *Circulation*, Feb. 1, 1996; 93(3), 412-422.
- Siekierka, J. J., "Probing T-Cell Signal Transduction Pathways with the Immunosuppressive Drugs, FK-506 and Rapamycin," *Immunologic Research*, 1994, 13, 110-116.
- Sigwart, et al., "Intravascular Stents to Prevent Occlusion and Restenosis After Transluminal Angioplasty," *N. Engl. J. Med.*, Mar. 19, 1987, 316, 701-706.
- Simons, M. et al., "Antisense c-myc oligonucleotides inhibit intimal arterial smooth muscle cell accumulation in vivo," *Nature*, 1992, 359, 67-70.
- Snow, A. D. et al., "Heparin modulates the composition of the extracellular matrix domain surrounding arterial smooth muscle cells," *Am. J. Pathol.*, 1990, 137, 313-330.
- Sollott, S. J. et al., "Taxol Inhibits Neointimal Smooth Muscle Cell Accumulation after Angioplasty in the Rat," *J. Clin. Invest.*, 1995, 95, 1869-1876.
- van Der Giessen, et al., "Self-expandable Mesh Stents: an Experimental Study Comparing Polymer Coated and Uncoated Wallstent Stents in the Coronary Circulation of Pigs," *Circulation* 1990, 82(suppl. III):III-542.
- van Der Giessen, W. J. et al., "Coronary stenting with polymer-coated and uncoated self-expanding endoprostheses in pigs," *Coron. Art. Disease* 1992; 3, 631-640.
- Vasey, C. G. et al., "Clinical Cardiology: Stress Echo and Coronary Flow", *Circulation*, Oct. 1989, 80(4) Supplement II, II-66.
- Verweire, E. et al., "Evaluation of Fluorinated Polymers As Coronary Stent Coating," *Journal of Materials Science: Materials in Medicine*, Apr. 2000.
- Weinberger, J. et al., "Intracoronary irradiation: dose response for the prevention of restenosis in swine," *Int. J. Rad. Onc. Biol. Phys.*, 1996, 36, 767-775.
- Preliminary Amendment in U.S. Appl. No. 07/258,189, May 22, 1989.
- Trial Transcript from Nov. 6, 2000 at 185-90 and 235-36 (Attorneys' opening remarks regarding '984 patent).
- Trial Transcript from Nov. 7, 2000 at 274-301, 307-315, 320-28 and 332 (Cordis expert testimony regarding the Palmaz-Schatz stent); 370-379, 480-496 (J. Palmaz testimony regarding the Palmaz-Schatz stent, the '984 patent and the connected z-stent art).
- Trial Transcript from Nov. 8, 2000 at 547-63, 657-63, 674-722, 782-85 (Cordis expert testimony regarding the Palmaz-Schatz stent, the '984 patent and the connected z-stent art).
- Trial Transcript from Nov. 9, 2000 at 819-23, 921 (Cordis expert testimony regarding the '984 patent); 926-941 (R. Croce testimony re Palmaz-Schatz stent); 1033-1053 (R. Schatz testimony).
- Trial Transcript from Nov. 13, 2000 at 1086-1 134. (R. Schatz testimony); 1275-1305 (Cordis expert testimony regarding the '984 patent).
- Trial Transcript from Nov. 14, 2000 at 1390-1404, 1448-1454, 1486-1500 (Cordis expert testimony regarding the '984 patent).
- Trial Transcript from Nov. 15, 2000 at 1686-87, 1724-42, 1828-34, 1850-54, 1887-92 (AVE expert testimony regarding the '984 patent).
- Trial Transcript from Nov. 16, 2000 at 2077-198 (AVE expert testimony regarding the alleged obviousness of the '984 patent).
- Trial Transcript from Nov. 17, 2000 at 2331-34 (jury instructions as to the meaning of the limitations of the claims of the '984 patent).
- Trial Transcript from Nov. 20, 2000 at 2441-48, 2499-2500, 2546-50, 2552-56 (Attorneys' closing arguments regarding the '984 patent).
- Trial Transcript from Nov. 21, 2000 at 2592-94 (reading of jury verdict).
- Trial Transcript from Dec. 18, 2000 at 2750-95 (Cordis expert testimony regarding the Palmaz-Schatz stent during the damages phase).
- Trial Transcript from Dec. 20, 2000 at 3421-88 (AVE expert testimony regarding the Palmaz-Schatz stent during the damages phase).
- Jury verdict, dated Nov. 21, 2000.
- District Court decisions on post-trial motions (194 F. Supp. 2d 323).
- Court of Appeal for the Federal Circuit decision (339 F.3d 1352).
- Trial Transcript from Mar. 4, 2005 at 133-135, 171-173 and 192-96 (Attorney's opening remarks regarding '984 validity).
- Trial Transcript from Mar. 7, 2005 at 275-31 1 (Cordis expert testimony regarding the Palmaz-Schatz stent); 342-46, 353-59, 416-425 (J. Palmaz testimony regarding the Palmaz-Schatz stent, the '984 patent and the connected z-stent art); 430-449, 452-58,

US 7,217,286 B2

Page 7

462-492 (R. Croce testimony regarding the Palmaz-Schatz stent); 500-507 (Cordis expert testimony regarding the '984 patent).

Trial Transcript from Mar. 8, 2005 at 609 (Cordis expert testimony regarding the '984 patent); 628-73, 724-740, 773, 801-839 (Cordis expert testimony regarding the '984 patent, the prior art and the Palmaz-Schatz stent).

Trial Transcript from Mar. 9, 2005 at 936-49, 968-69 (Cordis expert testimony regarding the '984 patent, the prior art and the Palmaz-Schatz stent).

Trial Transcript from Mar. 10, 2005 at 1427-74, 178-1509, 1514-23 (AVE expert testimony regarding the alleged obviousness of the '984 patent); 1566-93 (AVE expert testimony regarding Palmaz-Schatz stent); 1634-49 (R. Schatz testimony).

Trial Transcript from Mar. 11, 2005 at 1846-47, 1891-1900, 1919 (Attorneys' closing arguments regarding '984 obviousness).

Trial Transcript from Mar. 14, 2005 at 1964-67 (reading of jury verdict).

Jury verdict dated Mar. 14, 2005.

Medtronic Vascular Inc.'s Opening Brief in Support of Its Motion for Judgment As A Infringement Claim dated Apr. 19, 2005.

Medtronic Vascular Inc.'s Opening Brief in Support of Its Motion for a New Trial dated Apr. 19, 2005.

D.I. 1407, Cordis' Combined Answering Brief In Opposition to AVE's Motion for JMOL on Infringement of the Palmaz '762 and Schatz '984 Patents and Its Motion for a New Trial dated May 5, 2005.

D.I. 1414, Medtronic Vascular Inc.'s Combined Reply Brief In Support of Its Motion for Judgment as a Matter of Law on Cordis Corp.'s Patent Infringement Claims and Its Motion for a New Trial dated May 19, 2005.

Trial Transcript from Feb. 8, 2001 at 372-412, 449-469 (B. Tobor testimony regarding the prosecution of the '417, '984 and '332 patents); 510-13 (J. Milnamow testimony regarding the prosecution of the '332 patent); 558-604 (J. Palmaz testimony regarding the prosecution of the '417, '984 and '332 patents and the prior art). Trial Transcript from Feb. 9, 2001 at 637-45, 662-672, 682-85 (J. Palmaz testimony regarding the prior art); 699-742 (R. Schatz testimony); 769-770, 790-95 (Cordis expert testimony regarding prior art).

D.I. 1067, Medtronic AVE, Inc.'s Post-Trial Brief Relating to the Unenforceability of the '762 and '984 Patents Due to Inequitable Conduct.

D.I. 1077, Cordis' Combined Answering Brief in Opposition to AVE's BSC's Post-Hearing Briefs on Alleged Inequitable Conduct Concerning the '762, '984 and '332 Patents.

D.I. 1089, Reply Brief In Support of Medtronic AVE, Inc.'s Contention that the '762 and '984 Patents are Unenforceable Due to Inequitable Conduct dated May 7, 2001.

C.A. No. 00-886-SLR, Answer and Counterclaims of Def. Medtronic AVE, Inc. To First Amended Complaint of Plaintiff Cordis Corp.

BSC's Opening Post-Trial Brief in Support of Its Defense That the Patents in Suit Are Unenforceable, dated Mar. 16, 2001.

Reply Brief in Support of BSC's Defense That the Patents in Suit Are Unenforceable, dated May 7, 2001.

Court's Decision on allegations of inequitable conduct (194 F. Supp. 2d 323) Mar. 28, 2002.

Trial Transcript from Nov. 21, 2000 at 155-57 and 180-84 (Attorneys' opening remarks regarding '332 patent).

Trial Transcript from Nov. 27, 2000 at 227-51, 260-300 (Cordis expert testimony regarding the Palmaz-Schatz stent); 343-60, 363-67, 424-33 (J. Palmaz testimony regarding the Palmaz-Schatz stent and the '332 patent).

Trial Transcript from Nov. 28, 2000 at 649-71.

Trial Transcript from Nov. 29, 2000 at 791-816, 859-870, 953-62 (Cordis expert testimony regarding the '332 patent and the Palmaz-Schatz stent).

Trial Transcript from Nov. 30, 2000 at 1018 (Cordis expert testimony regarding the '332 patent); 1062-80, 1108-1111 (R. Croce testimony regarding the Palmaz-Schatz stent); 1169-70, 1205-17, 1236-45 (Cordis expert testimony regarding the '332 patent).

Trial Transcript from Dec. 1, 2000 at 1352-54 (Cordis expert testimony regarding the '332 patent); 1364-1442 (R. Schatz testi-

mony); 1493-1508, 1552-69 (BSC expert testimony regarding the '332 patent and the Palmaz-Schatz stent).

Trial Transcript from Dec. 4, 2000 at 1602-12, 1638-51, 1713-14, 1730-61, 1811-14, 1823-36 (BSC expert testimony regarding the alleged obviousness of the '332 patent, the prior art and the Palmaz-Schatz stent).

Trial Transcript from Dec. 6, 2000 at 2318-27, 2342-58 (BSC expert testimony regarding the '332 patent).

Trial Transcript from Dec. 7, 2000 at 2549-52 (Cordis expert testimony regarding the '332 patent); 2575-2579, 2591-92, 2630-31, 2649, 2669-71, 2684-85, 2688, 2708-10, 2725-27 (Attorney closing argument regarding '332 patent); 2742-46 Q'ury instructions as to the meaning of the limitations of the claims of the '332 patent).

Trial Transcript from Dec. 11, 2000 at 2817-22 (reading of jury verdict).

Jury verdict, dated Dec. 11, 2000.

D.I. 699, Motion by Defendant BSC and Scimed Life Systems, Inc. For Summary Judgment of Invalidity of U. S. Appl. No. 5,902,332 dated Apr. 4, 2000.

D.I.896, Order Denying Motion for Summary Judgment of Invalidity and Unenforceability of Claims 1, 3, and 5 of the U.S. Appl. No. 5,902,332 Denying {699-1} Motion for Summary Judgment of Invalidity of U.S. Appl. No. 5,902,332 dated Oct. 12, 2000.

Wright et al., Percutaneous Endovascular Stent: An Experimental Study (Abstract), RSNA Meeting (Nov. 28, 1984).

Hearing Transcript from Feb. 10, 1998 at 122-32, 146-80 (Attorneys' opening remarks regarding '417 patent); 180-312 (R. Schatz testimony) [Portions of This Transcript Have Been Removed as Confidential].

Hearing Transcript from Feb. 11, 1998 at 427-575, 577-651 (Cordis expert testimony regarding the '417 patent, the prior art and the Palmaz-Schatz stent).

Hearing Transcript from Feb. 13, 1998 at 1121-1261 (Guidant expert testimony regarding the alleged obviousness of the '417 patent, the prior art and the Palmaz-Schatz stent). [Portions of This Transcript Have Been Removed as Confidential].

Order by J. Robinson denying Cordis' Motion for a Preliminary Injunction Against ACS dated Jul. 17, 1998.

ACS, Inc.'s and Guidant Corp.'s Opening Brief in Support of Their Motion for Summary Judgment of Invalidity of U.S. Appl. No. 5,102,417 dated Aug. 27, 1998.

Plaintiff's Answering Brief in Opposition to ACS' and BSC's Motion for Summary Judgment on Obviousness dated Sep. 24, 1998.

Order dated Mar. 31, 2000.

Schatz Deposition Testimony; May 15, 1996: 79-83, 89-92, 105-107 and 153-161.

Schatz Deposition Testimony; May 16, 1996: 555-564, 569-572.

Schatz Deposition Testimony; Jan. 8, 1998: 67-73, 108-110.

Schatz Deposition Testimony; Jul. 14, 1998: 69-77, 108-112, 119-123.

Schatz Deposition Testimony; Jul. 12, 1999: 88-91, 132-135, 144-149, 218-223, 231-242.

Schatz Deposition Testimony; Jul. 13, 1999: 251-334, 339-345, 374-416.

Schatz Deposition Testimony; Jul. 14, 1999: 454-550.

Schatz Deposition Testimony; Jul. 15, 1999: 560-614.

Schatz Deposition Testimony; Dec. 2, 1999: 906-911, 928-942, 945-963, 976-978, 1029-1034, 1038-1042.

Palmaz Deposition Testimony, Nov. 5, 1991: 160-172.

Palmaz Deposition Testimony, Feb. 5, 1995: 710-727.

Palmaz Deposition Testimony, Jul. 16, 1998: 55-56, 81-82.

Palmaz Deposition Testimony, Jul. 28, 1999: 560-568, 570-579.

Palmaz Deposition Testimony, Jul. 29, 1999: 778-785.

Palmaz Deposition Testimony, Aug. 31, 1999: 1403-1452.

Palmaz Deposition Testimony, Sep. 2, 1999: 1953-1960.

Palmaz Deposition Testimony, Oct. 14, 1999: 2201-2209; 2275-2342; 2371-2411.

Palmaz Deposition Testimony, Oct. 15, 1999: 2424-2497; 2508-2589.

Palmaz Deposition Testimony, Oct. 16, 1999: 2853-2860.

Tobor Deposition Testimony, Jun. 17, 1999: 837-958.

US 7,217,286 B2

Page 8

- Tobor Deposition Testimony, Jun. 18, 1999: 1095-1184.
 Tobor Deposition Testimony, Dec. 1, 1999: 1217-1371.
 Tobor Deposition Testimony, Dec. 2, 1999: 1398-1414; 1444-1508; 1532-1548.
 Tobor Deposition Testimony, Dec. 3, 1999: 1652-1653; 1662-1672; 1683-1694.
 Kula Deposition Testimony, Apr. 20, 1999: 268-169.
 Kula Deposition Testimony, Nov. 16, 1999: 660-675; 680-694; 7-8-755; 774-821.
 Kula Deposition Testimony, Nov. 18, 1999: 176-223.
 Expert Report of Dr. Rodney S. Badger on Behalf of Medtronic AVE, Inc. (Jan. 31, 2000).
 Expert Report of Dr. Joseph Bonn on Behalf of Medtronic AVE, Inc. (Jan. 31, 2000).
 Deposition of Dr. Joseph Bonn dated Mar. 14, 2000.
 Rebuttal Expert Report of Nigel Buller, B.Sc., M.B., F.R.C.P. (Mar. 2000).
 Second Supplemental Rebuttal Expert Report of Nigel Buller, B.Sc., M.B., F.R.C.P. (Aug. 17, 2004).
 Rebuttal Expert Report of John M. Collins, PH.D. (Feb. 2000).
 Expert Report of David C. Cumberland, M.D. (Jan. 24, 2000).
 Expert Report of John T. Goolkasian (Feb. 2000).
 Deposition of Richard R. Heuser, M.D. (Sep. 7, 2004).
 Deposition of Henry R. Piehler (Sep. 10, 2004).
 Deposition of Ronald J. Solar (Mar. 22, 2000).
 Deposition of Ronald J. Solar (Mar. 23, 2000).
 Deposition of Ronald J. Solar (Apr. 12, 2000).
 Expert Report of Dr. Arina Van Breda on Behalf of Medtronic AVE, Inc. (Jan. 31, 2000).
 Deposition of Anna Van Breda (Mar. 24, 2000).
 Deposition of Arina Van Breda (Aug. 21, 2004).
 Expert Report of John F. Witherspoon (Jan. 24, 2000).
 Supplemental Expert Report of John F. Witherspoon (Oct. 27, 2000).
 Deposition of John F. Witherspoon (Mar. 8, 2000).
 Palmaz et al., Article: "Normal and Stenotic Renal Arteries: Experimental Balloon Expandable Intraluminal Stenting", Radiology, Sep. 1987. (AVE 84).
 Julio C. Palmaz, Article: "Expandable vascular endoprosthesis." (AVE 132).
 Duprat et al., Article: Flexible Balloon-Expandable Stent for Small Vessels Duprat et al. Radiology, vol. 162, pp. 276-278, 1987. (AVE 134).
 Coons et al., Article: "Large-Bore, Long Biliary Endoprosthesis (Biliary Stents) for Improved Drainage," Radiology, vol. 148, pp. 89-94, 1983. (AVE 143).
 Honickman et al., Article: "Malpositioned Biliary Endoprosthesis, Technical Developments And Instrumentation," vol. 144, No. 2., 1982. (AVE 144).
 Harries-Jones, et al., Article: "Repositioning of Biliary Endoprosthesis with Gruntzig Balloon Catheters," AJR, vol. 138, pp. 771-772, 1982. (AVE 153).
 Charnsangavej et al., Article "Stenosis of the Vena Cava: Preliminary Assessment of Treatment with Expandable Metallic Stents," Radiology, vol. 161, pp. 295-298, 1986. (AVE 359).
 Wallace, M. J. et al., Article "Tracheobronchial Tree: Expandable Metallic Stents Used in Experimental and Clinical Applications," Radiology, vol. 158, pp. 309-312, 1986. (AVE 364).
 T. Yoshioka, et al., AIR Article: "Self-Expanding Endovascular Graft: An Experimental Study in Dogs", vol. 151, pp. 673-676, 1988. (AVE 438).
 Palmaz, J. C. et al., Article: "Expandable Intraluminal Vascular Graft: A Feasibility Study," Surgery, vol. 99, pp. 199-205, 1986. (AVE 461).
 Lawrence et al., Article: "Percutaneous Endovascular Graft: Experimental Evaluation." Radiology, vol. 163, pp. 357-360, 1987. (AVE 671).
 Palmaz et al., Article: Expandable Intraluminal Graft: A Preliminary Study, 1 Jan. 17-22, 1985, Radiology, vol. 156, pp. 73-77, 1985. (AVE 1224).
 Fallone et al., "Elastic Characteristics of the Self-Expanding Metallic Stents," Investigative Radiology, vol. 23, pp. 370-376, 1988. (AVE 1953).
 Palmaz Paper Entitled "Research Project Expandable Vascular Endoprosthesis" May 18, 1983.
 Rousseau, et al., Publication: "Percutaneous Vascular Stent: Experimental Studies & Preliminary Clinical Results in Peripheral Arterial Diseases," in Inter. Angio, vol. 6, 153-161, 1987. (AVE 3301).
 Rousseau, et al., Publication: "Self-Expanding Endovascular Prosthesis: An Experimental Study," Radiology, vol. 164, pp. 709-714, 1987. (AVE 3303).
 Wallace, et al., Article: "Tracheobronchial Tree: Expandable Metallic Stents Used in Experimental and Clinical Applications," Radiology, vol. 58, pp. 309-312, 1986. (DBX 2938).
 Palmaz et al., Article: "Expandable Intraluminal Graft: A Preliminary Study," Radiology, vol. 156, pp. 73-77, Nov. 17-22, 1985 (DBX 4595).
 Program for the 12th Annual Course on Diagnostic Angiography and Interventional Radiology Mar. 23-26, 1987 sponsored by The Society of Cardiovascular and Interventional Radiology (DBX 6235).
 Preliminary Motion for Judgment re: Wolff claims 1, 2-8, 10, 15 and 19 (DBX6759).
 Palmaz Declaration (DBX 7069).
 Letter from Gaterud to Dr. Palmaz dated Jul. 5, 1988 with attached document entitled: "Segmented, balloon-expandable stents." (DBX 7160).
 Duprat et al., Article: "Flexible Balloon-Expandable Stent For Small Vessels," Radiology, vol. 168, pp. 276-278, 1987 (PX 82).
 Drawing Sent to Bodic on Mar. 17, 1986 (PX 374).
 Letter from Dr. Palmaz to R. Bowman enclosing a model of the flexible coronary graft dated Mar. 17, 1986 (PX 337).
 Lab Notebook pages dated Jul. 30, 1987 from Rodney Wolff (COR 185596-597) (PX621A).
 Charnsangavej, et al., Article: "Stenosis of The Vena Cava Preliminary Assessment of Treatment with expandable Metallic Stents," Radiology, vol. 161, No. 2, pp. 295-298 with attached photographs, 1986. (API 72).
 J. Palmaz: The Current Status of Vascular Prostheses, published by SCIR in the Twelfth Annual Course on Diagnostic Angiography And Interventional Radiology Mar. 23-26, 1987. (API 73).
 Amendment in Response to Office Action of Oct. 18, 1998 in re: Application of Julio Palmaz S/N 174,246. (API 152).
 Article: Wallace, et al., Tracheobronchial Tree: Expandable Metallic Stents Used in Experimental and Clinical Applications Work In Progress, Radiology, vol. 158, pp. 309-312. (API 295).
 Reply of Senior Party Schatz To Patentee Wolffs Opposition To The Belated Motion For Judgment Of Applicant Schatz With Regard To Wolff Claims 1, 2-8, 10, 11, 13-17, And 19 (COR 186450-455) (API 310).
 Brief Of Senior Party Schatz At Final Hearing (API 313).
 Letter from Ron Sickles to Ben Tobor dated Feb. 10, 1988 (Exhibit 42).
 Letter from R.O. Sickles to Mike Tatlow dated May 12, 1988 (Exhibit 43).
 Letter from R. O. Sickles to Richard Schatz dated Jun. 2, 1988 (Exhibit 44).
 Letter from Richard Schatz to Raimund Erbel dated Jun. 3, 1988 (Exhibit 45).
 Letter from Richard Schatz to Mike Schuler dated Aug. 29, 1991 (Exhibit 48).
 Minutes of J&J Stent Project Review Meeting dated Jan. 21, 1988 (Exhibit 7).
 Preliminary Motion for Judgment with Regard to Wolff Claims 1, 2-8, 10, 11, 13-17, and 19. (Exhibit 67).
 Declaration of Richard A Schatz. (Exhibit 75).
 Belated Motion for Judgment with Regard to Wolff Claims 1, 2-8, 10, 11, 13-17 and 19. (Schatz-Exhibit 77).
 Letter from Dr. Schatz to Mr. Tobor, dated Jun. 3, 1988. (Exhibit 122).
 Letter from Dr. Schatz to Mr. Romano, dated Nov. 28, 1988. (Exhibit 131).
 Letter from Mr. Sickles to Mr. Tobor, dated Feb. 10, 1988 (Exhibit 145).
 Richard A. Schatz, Article titled: "A View of Vascular Stents" Circulation, vol. 79, No. 2, pp. 445-457, 1989. (Exhibit 194).

US 7,217,286 B2

Page 9

- Senior Party Schatz's reply to Patentee Wolff's Opposition to the Preliminary Motion Of Applicant Schatz for judgment with regard to Wolff Claims 1, 2-8, 10, 11, and 13-17. (Exhibit 69).
- Wallace, et al., Article: "Tracheobronchial Tree: Expandable Metallic Stents Used in Experimental and Clinical Applications" *Work In Progress*, Radiology, vol. 158, pp. 309-312, 1986. (Exhibit 165).
- Charnsangavej, et al., Article: "Stenosis of The Vena Cava Preliminary Assessment of Treatment with expandable Metallic Stents," Radiology, vol. 161, No. 2, pp. 295-298 with attached photographs, 1986! (Exhibit 167).
- David D. Lawrence et al., Publication: Percutaneous Endovascular Graft: Experimental Evaluation¹, Radiology, pp. 163, 357-360, 1987. (Exhibit 173).
- Charles E. Putnam, M.D., Cover and article from "Investigative Radiology", vol. 23, No. 5, May 1988. (Exhibit 177).
- Robert N. Berk, Cover and article from "American Journal of Roentology", pp. 673-676, 1988. (Exhibit 178).
- Declaration of John S. Kula Under 37 CFR § 1.672. (Kula-Exhibit 77).
- Yoshioka et al., Article: "Self-Expanding Endovascular Graft: An Experimental Study in Dogs" *AJR*, vol. 151, pp. 673-676, 1988. (PX 100).
- Palmaz, et al., Article: Expandable Intraluminal Graft: A Preliminary Study Work in Progress¹, Radiology, vol. 156, No. 1, pp. 73-77, 1985. (PX 101).
- Declaration of Richard Schatz Under 37 C.F.R. § 1.672. (PX 106).
- Charnsangavej et al., Article: "Stenosis of the Vena Cave: Preliminary Assessment of Treatment with Expandable Metallic Stents," Radiology, vol. 161, pp. 295-298, 1986. (PX 143).
- Wallace, et al., Article: Tracheobronchial Tree: Expandable Metallic Stents Used in Experimental and Clinical Applications Work in Progress¹, Radiology, vol. 158, pp. 309-312, 1986. (PX 144).
- Gina Kolata, News Article: NY Times, "Devices That Opens Clogged Arteries Gets a Falling Grade in a New Study", pp. 16-18, Jan. 3, 1991. (PX 186).
- Duprat, et al., Article: "Flexible Balloon- Expanded Stent for Small Vessels Work in Progress"¹, Radiology, vol. 162, pp. 276-278, 1987. (PX 207).
- Letter from Palmaz to Bowman dated Mar. 17, 1986. (PX 350).
- Memo re: Minutes of Stent Project Review- San Antonio- Mar. 15, 1988. (PX 651).
- Kuntz, et al., Article: Clinical Cardiology Frontiers: "Defining Coronary Restenosis, Newer Clinical and Angiographic Paradigms", *Circulation*, Sep. 1993, vol. 88, No. 3, pp. 1310-1323. (PX 854).
- Belated Motion for Judgment with regard to Wolff Claims 1, 2-8, 10, 11, 13-17, and 19. (PX 1410).
- Drawing of Spiral Stent (sent to Bodic Mar. 17, 1986). (PX2933).
- Wright et al., Article: "Percutaneous Endovascular Stents: An Experimental Evaluation," Radiology, vol. 156, pp. 69-72, 1985. (PX 3093).
- Charnsangavej et al., Article: "A New Expandable Metallic Stent for Dilation of Stenotic Tubular Structures: Experimental and Clinical Evaluation," *Houston Medical Journal*, vol. 3, pp. 41-51, Jun. 1987. (PX 3207).
- In re Application of Wiktor, Appln. No. 69,636, Response to Office Action dated Mar. 17, 1988. (PX3236).
- Transmittal Letter of Response to First Office Action in '417 patent. (PX 3993).
- Letter from B. Tobor to R. Schatz dated Jul. 23, 1991. (PX 3996).
- Mullins et al., Article: "Implication of balloon-expandable intravascular grafts by catheterization in pulmonary arteries and systemic veins," *Circulation*, vol. 77, No. 1, pp. 188-189, 1988. (PX4049).
- Schatz et al., Article: "Intravascular Stents for Angioplasty," *Cardio*, 1997. (PX 4050).
- Schatz et al., Article: "New Technology in Angioplasty Balloon-Expandable Intravascular Stents, New Developments in Medicine," vol. 2, No. 2 pp. 59-75, 1987. (PX4051).
- Richard A. Schatz, Article: "Introduction to Intravascular Stents," *Cardiology Clinics*, vol. 6, No. 3, pp. 357-372, 1988. (PX 4052).
- Richard A. Schatz, Article: "A View of Vascular Stents," *Circulation*, vol. 79, No. 2, pp. 445-457, 1989. (PX4053).
- Wang et al., Article: "An Update on Coronary Stents," *Cardio*, pp. 177-186, 1992. (PX 4054).
- Richard A. Schatz, Article: "New Technology in Angioplasty: Balloon-Expandable Starts," *Medicamundi*, vol. 33, No. 3, pp. 112-126, 1988. (PX 4055).
- Letter from Tobor to Schatz dated Sep. 29, 1988. (PX 1395).
- Verified Statement of Facts by Unnamed Inventor R.A. Schatz document filed in U. S. Patent and Trademark Office on Sep. 8, 1989. (PX 3677).
- Declaration of John S. Kula Under 37 CFR § 1.672 (Exhibit 329).
- Letter to Mike Schular from R.A. Schatz dated Aug. 29, 1991. (Exhibit 402).
- Articulated, Balloon-Expandable Stents, (DBX 7159).
- J. Rosch et al., Experimental Intrahepatic Portacaval Anastomosis: Use of Expandable Gianturco Stents, Radiology, vol. 162, pp. 481-485, 1987.
- J. Rosch et al., Modified Gianturco Expandable Wire Stents In Experimental and Clinical Use, *Ann Radiol*, vol. 31, No. 2, pp. 100-103, 1987.
- J. Rosch et al., Gianturco Expandable Stents In the Treatment of Superior Vena Cava Syndrome Recurring After Vena Cava Syndrome Recurring After Maximum-Tolerance Radiation, *Cancer*, vol. 60, pp. 1243-1246, 1987.
- I.E. Gordon, Structures or Why Things Don't Fall Down, Penguin Books, pp. 45-59, 132-148, 210-244, 377-383.
- Maass et al., Radiological Follow-up of Transluminally Inserted Vascular Endoprostheses: An Experimental Study Using Expanding Spirals, Radiology, vol. 152, pp. 659-663, 1984.
- Argument submitted re EP 861 15473 dated Jan. 20, 1995. (AVE 2478).
- Verified Statement of Facts by Julio C. Palmaz dated Aug. 4, 1989. (PX 3662).
- Papanicolaou et al., Insertion of a Biliary Endoprosthesis Using A Balloon Dilatation Catheter, *Gastrointest Radiology*, vol. 10, pp. 394-396, 1985.
- Palmaz et al., Atherosclerotic Rabbit Aortas: Expandable Intraluminal Grafting, Radiology, vol. 168, pp. 723-726, 1986.
- Palmaz, The Current Status of Vascular Prostheses; Rosch et al., Gianturco, Expandable Stents in Experimental and Clinical Use, *SCIVR*, pp. 118-124, 1987.
- Rosch et al., Abstract: Modified Gianturco Expandable Wire Stents in Experimental and Clinical Use, *CIRSE*, Porto Cervo, Sardinia, May 25-29, 1987.
- Rosch et al., Gianturco Expandable Wire Stents in the Treatment of Superior Vena Cava Syndrome Recurring After Maximum-Tolerance Radiation, *Cancer*, vol. 60, pp. 1243-1246, 1987.
- Mirich et al., Percutaneously Placed Endovascular Grafts for Aortic Aneurysms: Feasibility Study, Radiology, vol. 170, pp. 1033-1037, 1989.
- Dotter, Transluminally-placed Coilspring Endarterial Tube Grafts, *Investigative Radiology*, vol. 4, Sep.-Oct., pp. 329-332, 1969.
- Palmaz et al., Abstract: Expandable Intraluminal Graft: A Preliminary Study, Radiology, vol. 153 (P), Nov. 1983: 70th Scientific Assembly and Annual Meeting.
- Cragg et al, Nonsurgical Placement of Arterial Endoprostheses: A New Technique Using Nitinol Wire, Radiology, vol. 147, pp. 261-263, Apr. 1983.
- J. Rosch et al., Gianturco Expandable Stents in Experimental and Clinical Use, Program: "Twelfth Annual Course on Diagnostic Angiography and Interventional Radiology" (Society of Cardiovascular and Interventional Radiology, Pittsburgh, PA), Mar. 23-26, 1987 (the second Monofilament Article).
- Uchida et al., Modifications of Gianturco Expandable Wire Stents, *AIR*, vol. 150, pp. 1185-1187, 1988.
- Palmaz, Balloon-Expandable Intravascular Stent, *AJR*, vol. 1510, pp. 1263-1269.
- Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, Guidant Corporation, Arterial Vascular Engineering, Inc., Boston Scientific Corporation and SCMED Life Systems, Inc., Plaintiffs Complaint, Oct. 23, 1997 (Case No. 97-550-SLR).
- Arterial Vascular Engineering, Inc. v. Cordis Corporation*, Johnson & Johnson and Expandable-Grafts Partnership, Plaintiffs First Amended Complaint for Declaratory Relief of Patent Validity,

US 7,217,286 B2

Page 10

Unenforceability, Noninfringement, and for Antitrust Violations, Jan. 27, 1998 (Civil Action No. 97-700).

Arterial Vascular Engineering, Inc. v. Cordis Corporation, Johnson & Johnson and Expandable-Grafts Partnership, Cordis Corporation and Johnson & Johnson's Answer and Counterclaim, Feb. 27, 1998 (Civil Action No. 97-700-SLR).

Arterial Vascular Engineering, Inc. v. Cordis Corporation, Johnson & Johnson and Expandable-Grafts Partnership, Expandable-Graft Partnership's Answer, Feb. 27, 1998 (Civil Action No. 97-700-SLR).

Arterial Vascular Engineering, Inc. v. Cordis Corporation, Johnson & Johnson and Expandable-Grafts Partnership, Reply of Plaintiff Arterial Vascular Engineering, Inc. To Counterclaims of Defendant Cordis Corporation, Mar. 31, 1998 (Civil Action No. 97-700-SLR).

Arterial Vascular Engineering, Inc. v. Cordis Corporation, Johnson & Johnson and Expandable-Grafts Partnership, Reply of Plaintiff Arterial Vascular Engineering, Inc. To Counterclaims of Defendant Expandable Grafts Partnership, Mar. 31, 1998 (Civil Action No. 97-700-SLR).

Cordis Corporation v. Advanced Cardiovascular Systems, Inc. and Guidant Corporation, Cordis Corporation's Motion for a Preliminary Injunction, Oct. 8, 1997 (Civil Action No. 97-550).

Cordis Corporation v. Advanced Cardiovascular Systems, Inc., Guidant Corporation Arterial Vascular Engineering, Inc., Boston Scientific Corporation and SCJVID, Inc., Cordis's Motion for Preliminary Injunction Against Arterial Vascular Engineering, Inc., Dec. 29, 1997 (Case No. 97-550-SLR).

Deposition of R. Schatz, M.D. in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, taken on Jan. 8, 1998 (Civil Action No. 97-550 SLR).

Deposition of Lee P. Bendel in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, taken on Jan. 22, 1998 (Civil Action No. 97-550 SLR).

Deposition of Julio Cesar Palmaz in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, taken on Dec. 29, 1997 (Civil Action No. 97-550 SLR).

Deposition of Richard A. Bowman in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, taken on Jan. 9, 1998 (Civil Action No. 97-550 SLR).

Deposition of Gary Schneiderman in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, taken on Jan. 16, 1998 (Civil Action No. 97-550 SLR).

Deposition of David Pearle, M.D. in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.*, taken on Jul. 10, 1998 (Civil Action No. 97-550 SLR).

Preliminary Injunction hearing testimony taken on Feb. 9-13, 1998 (Civil Action No. 97-550 SLR).

Cordis Corporation v. Advanced Cardiovascular Systems, Inc., et al., (Civil Action No. 97-550 SLR) and *Cordis Corporation v. Advanced Cardiovascular Systems, Inc. Et al.* (Civil Action No. 98-65-SLR), Opening Post Hearing Brief of Plaintiff Cordis Corporation in Support of Motion for Preliminary Injunction, Mar. 6, 1998 (Portions relevant to patent claim construction and patent validity issues).

Cordis Corporation and Expandable Grafts Partnership v. Advanced Cardiovascular Systems, Inc. et al., Post-Hearing Reply Brief of Plaintiff Cordis Corporation in Support of Its Motion for Preliminary Injunction, Apr. 10, 1998 (Case No. 97-550 SLR) (Portions relevant to patent validity issues).

Cordis Corporation and Expandable Grafts Partnership v. Advanced Cardiovascular Systems, Inc. et al., Plaintiffs Motion for a Preliminary Injunction Against Boston Scientific Corporation and SCLMED Life Systems, Inc. And Memorandum in Support, Apr. 13, 1998 (Case No. 97-550-SLR).

Cordis Corporation and Expandable Grafts Partnership v. Advanced Cardiovascular Systems, Inc., et al., Judge Robinson's Order Denying Plaintiffs Motion for a Preliminary Injunction, Jul. 17, 1998 (Civil Action No. 97-550 SLR).

Cordis Corporation and Expandable Grafts Partnership v. Advanced Cardiovascular Systems, Inc., et al., Defendant Boston Scientific Corporation and SCTMED Life Systems, Inc.'s Motion for Summary Judgment of Invalidity of U.S. Appl. No. 5,102,417, filed Aug. 27, 1998 (Civil Action No. 97-550- SLR).

Boston Scientific Limited, et al. v. Expandable Grafts Partnership, Plaintiffs' Statement of Claim, Mar. 13, 1997 (UK Action No. 1493).

Boston Scientific Limited, et al. v. Expandable Grafts Partnership, Defendant's Amended Defense and Counterclaim, Aug. 14, 1997 (UK Action No. 1493).

Boston Scientific Limited, et al. v. Expandable Grafts Partnership, Petition for Revocation, Mar. 13, 1997 (UK Action No. 1497).

Boston Scientific Limited, et al. v. Expandable Grafts Partnership, Particulars of Objections, Mar. 13, 1997 (UK Action No. 1497).

Boston Scientific Limited, et al. v. Expandable Grafts Partnership and Boston Scientific Limited et al., v. *Julio C. Palmaz*, Boston's Skeleton Argument (UK Action Nos. 1493, 1495, 1496, and 1497).

Boston Scientific Limited, et al. v. Julio C. Palmaz and Expandable Grafts Partnership, Skeleton Argument of Palmaz/EGP, Mar. 19, 1998 (UK Action Nos. 1493, 1495, 1496 and 1497).

Boston Scientific Limited, et al. v. Julio C. Palmaz and Expandable Grafts Partnership, EGP's Final Submissions, Apr. 2, 1998 (UK Action Nos. 1493, 1495, 1496 and 1497).

Boston Scientific Limited, et al. v. Julio C. Palmaz and Expandable Grafts Partnership, Judgment, Jun. 26, 1998 (UK Action Nos. 1493, 1495, 1496 and 1497).

Rosch, Modified Gianturco Expandable Wire Stents in Experimental and Clinical Use, CJJR.SE 1987 Presentation: see Witness Statement of Josef Rosch from U.K. Proceeding.

Statement of Claim by Boston Scientific et al. against Expandable Grafts Partnership et al., in *EPG et al.*, v. *Boston Scientific et al.* in Netherlands (Mar. 13, 1997).

Motion for Joinder of Actions, Change of Claim and Statement of Claim filed by Expandable Grafts Partnership et al. in *EPG et al. v. Boston Scientific et al.* In Netherlands (Apr. 22, 1997).

Opinion of K.J. Merman filed *EPG et al. v. Boston Scientific et al.* in Netherlands (Aug. 29, 1997).

Expert report of Dr. Nigel Buller in *EPG et al. v. Boston Scientific et al.* in Netherlands (Aug. 28, 1997).

Expert report of Lee P. Bendel in *EPG et al. v. Boston Scientific et al.* in Netherlands (Aug. 28, 1997).

Memorandum of Oral Pleading in *EPG et al. v. Boston Scientific et al.* in Netherlands (Sep. 12, 1997).

Plea Notes of P. A.M. in *EPG et al. v. Boston Scientific et al.* in Netherlands (Mar. 10, 1998).

Decision of Court of Appeals in *EPG et al. v. Boston Scientific et al.* in Netherlands (Apr. 23, 1998).

Translation of Nullity Action Against EPO 0 364 787 by Biotronik in Germany.

Translation of Nullity Action Against EPO 0 335 341 by Biotronik in Germany.

Translation of EPG Response to Nullity Action Against EP 0 364 787 by Biotronik in Germany.

Translation of EPG Response to Nullity Action EP 0 335 341 by Biotronik in Germany.

Nullity Suit Against EP-B1-0 335 341 Brought by Boston Scientific in Germany.

Translation of Opposition filed by Terumo Corp. Against Japan Patent No. 2680901.

Translation of Decision on Opposition Against Japan Patent No. 2680901.

Memorandum Order of the Court dated Sep. 7, 2000, concerning disputed claim construction.

Translation of Judgment in Nullity Action Against EP 0 364 787 by Biotronik in Germany.

Translation of Judgment in Nullity Action Against EP 0 335 341 by Biotronik in Germany.

Trial transcript from Mar. 17, 2005 at 171-172, 191-192.

Trial transcript from Mar. 18, 2005 at 282-285, 325-327, 349-351.

Trial transcript from Mar. 21, 2005 at 721-726.

Trial transcript from Mar. 24, 2005 at 1387.

Trial transcript from Jul. 26, 2005.

BSC's Opening Brief in Support of Its Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial, dated Mar. 16, 2001.

US 7,217,286 B2

Page 11

- Cordis' Answering Brief in Opposition to BSC's Motion for JMOL or a New Trial on the Palmaz '762 Patent and the Schatz '332 Patents, dated Apr. 17, 2001.
- BSC's Reply Brief in Support of Its Motion for Judgment as a Matter of Law or, in the Alternative, for a New Trial, dated May 11, 2001.
- J. Rosch et al., Abstract, Expandable Gianturco-Type Wire Stents in Experimental Intrahepatic Portacaval Shunts, Program: "72nd Scientific Assembly and Annual Meeting of the Radiological Society of North America", Nov. 30-Dec. 5, 1986, *Radiology*, vol. 161, pp. 40-41, 1986.
- Cordis Corporation v. Boston Scientific*, Order Dated Mar. 27, 2006 (97-550-SLR).
- Cordis Corporation v. Boston Scientific*, Judgment in a Civil Case Dated Mar. 27, 2006 (97-550-SLR).
- Cordis Corporation v. Boston Scientific*, Memorandum Opinion Dated Mar. 27, 2006 (97-550-SLR).
- Cordis Corporation v. Boston Scientific*, Order Dated Mar. 27, 2006 (97-550-SLR).
- Cordis Corporation and Expandable Grafts Partnership v. Advanced Cardiovascular Systems, Inc., Guidant Corporation, Arterial Vascular Engineering, Inc., Boston Scientific Corporation and SCIMED Life Systems, Inc.*, Answer and Counterclaims of Defendant Advanced Cardiovascular Systems, Inc., Apr. 8, 1998 (Case No. 97-550-SLR).
- Boston Scientific Limited et al. v. Expandable Grafts Partnership and Boston Scientific Limited et al. v. Julio C. Palmaz*, Boston's Closing Submissions (UK Action Nos. 1493, 1495, 1496 and 1497).
- Cordis Corporation v. Advanced Cardiovascular Systems, Inc., Guidant Corporation, Arterial Vascular Engineering, Inc., Boston Scientific Corporation and SCIMED Life Systems, Inc.*, Defendants' Answer, Nov. 12, 1997 (Case No. 97-550-SLR).
- Statement of Rejoinder in the Action on the Merits, Also Including an Amendment of Defendant's Final Position in the Principal Action, as Well as the Provisional Statement of Rejoinder in the Action on the Counterclaim in *EPG et al. v. Boston Scientific et al.* in Netherlands (Feb. 10, 1998).
- Statement of Answer in the Ancillary Appeal in *EPG et al. v. Boston Scientific et al.* in Netherlands (Mar. 10, 1998).
- Appeal filed by Expandable Grafts Partnership et al. in *EPG et al. v. Boston Scientific et al.* in Netherlands (Nov. 12, 1997).
- Title filed by Boston Scientific et al. in *EPG et al. v. Boston Scientific et al.* in Netherlands (Jan. 22, 1998).
- Deposition of Richard Schatz, M.D. in *Cordis Corporation v. Advanced Cardiovascular Systems, Inc.* taken on Jul. 14, 1998 (Civil Action No. 97-550-SLR).
- Jury Verdict form from the *Cordis Corporation et al. v. Boston Scientific Corporation, et al.* liability trial, undated.
- Trial testimony transcripts from the *Cordis Corporation et al. v. Boston Scientific Corporation et al.* liability trial dated Nov. 21, Nov. 27-Dec. 1, Dec. 4-8 and Dec. 11, 2000.
- Boston Scientific SCIMED, Inc. and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.*, Opening Expert Report of Stephen R. Hanson, Ph.D. (Civil Action No. 03-283-SLR).
- Boston Scientific SCIMED, Inc. and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.*, Opening Expert Report of Robson F. Storey, Ph.D. (Civil Action No. 03-283-SLR).
- Boston Scientific SCIMED, Inc. and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.*, Rebuttal Expert Report of Kinam Park, Ph.D. (Civil Action No. 03-283-SLR).
- Cordis Corporation v. Boston Scientific Corporation and SCIMED Life Systems, Inc.* (C.A. No. 03-027-SLR) and *Boston Scientific SCIMED, Inc., and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.* (C.A. No. 03-283-SLR) Combined Post-Hearing Brief In Support Of Cordis Corporation's Motion For Preliminary Injunction in C.A. No. 03-027-SLR, And In Opposition to Plaintiffs' Motion For Preliminary Injunction in C.A. No. 03-283-SLR.
- Cordis Corporation v. Boston Scientific Corporation and SCIMED Life Systems, Inc.* (C.A. No. 03-027-SLR) *Boston Scientific SCIMED, Inc., and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.* (C.A. No. 03-283-SLR), Boston Scientific's Opening Post-Hearing Brief.
- Wu et al., Silicone-covered self-expanding metallic stents for the palliation of malignant esophageal obstruction and a review of the literature, *Gastrointestinal Endoscopy*, 1994, pp. 22-33, vol. 40, No. 1, Portland Oregon.
- Binmoeller, et al., Silicone-Covered Expandable Metallic Stents in the Esophagus: An Experimental Study, *Endoscopy*, 1992, pp. 416-420, vol. 24, Georg Thieme Verlag Stuttgart New York.
- Boston Scientific SCIMED, Inc., and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.*, Answering Memorandum in Opposition to Plaintiffs Motion for a Preliminary Injunction and Appendix thereto (Civil Action No. 03-283-SLR).
- Boston Scientific SCIMED, Inc., and Boston Scientific Corporation v. Cordis Corporation and Johnson and Johnson, Inc.*, Plaintiff's Reply Brief in Support of Their Motion for Preliminary Injunction.
- Rhine, Polymers for Sustained Macromolecule Release: Procedures to Fabricate Reproducible Delivery Systems and Control Release Kinetics, *Journal of Pharmaceutical Sciences*, 1980, pp. 265-270, vol. 69, No. 3.
- Langer et al., Controlled Release of Macromolecules From Polymers, *Biomedical Polymers Polymeric Materials and Pharmaceuticals for Biomedical Use*, 1980, pp. 112-137, Academic Press, Inc., New York, NY.
- Langer et al., Applications of Polymeric Delivery Systems for Macromolecules and Factors Controlling Release Kinetics.
- Rhine et al., A Method to Achieve Zero-Order Release Kinetics From Polymer Matrix Drug Delivery Systems, pp. 67-72.
- Langer et al., Polymers for the Sustained Release of Macromolecules: Controlled and Magnetically Modulated Systems, *Better Therapy With Existing Drugs: New Uses and Delivery Systems*, 1981, pp. 179-216, Merck Sharp & Dohme International, Rahway, NJ.
- Hsieh, et al., Zero-Order Controlled-Release Polymer Matrices for Micro-and-Macromolecules, *Journal of Pharmaceutical Sciences*, 1983 pp. 17-22, vol. 72, No. 1.
- Brown et al., In Vivo and In Vitro Release of Macromolecules from Polymeric Drug Delivery Systems, *Journal of Pharmaceutical Sciences*, 1983, pp. 1181-1185, vol. 72, No. 10.
- Langer, Implantable Controlled Release Systems, *Pharmac. Ther.*, 1983, pp. 35-51, vol. 21, printed in Great Britain.
- Kost et al., Controlled Release of Bioactive Agents, *Trends in Biotechnology*, 1984, pp. 47-51, vol. 2, No. 2, Elsevier BV Amsterdam.
- Bawa et al., An Explanation for the Controlled Release of Macromolecules from Polymers, *Journal of Controlled Release*, 1985, pp. 259-267, vol. 1 Elsevier Science BV Amsterdam.
- Leong et al., Polymeric controlled drug delivery, 1987, pp. 199-233, vol. 1/3, Elsevier Science Publishers BV Amsterdam.
- Langer, Polymeric Delivery Systems, *Targeting of Drugs 2 Optimization Strategies*, 1989, pp. 165-174, Plenum Press, New York and London.
- Langer, Biomaterials in Controlled Drug Delivery; New Perspectives from Biotechnological Advances; *Pharmaceutical Technology*, 1989, pp. 18, 23-24, 26, 28, 30.
- Langer, Controlled Release Systems, pp. 115-124.
- Laurencin et al., Polymeric Controlled Release Systems: New Methods for Drug Delivery, *Clinics in Laboratory Medicine*, 1987, pp. 301-323, vol. 7, No. 2, WB Saunders Company, Philadelphia.
- Langer, Biopolymers in Controlled Release Systems, *Polymeric Biomaterials*, pp. 161-169.
- Tsong-Pin Hsu et al., Polymers for the Controlled Release of Macromolecules: Effect of Molecular Weight of Ethylene-vinyl Acetate Copolymer, *Journal of Biomedical Materials Research*, 1985, pp. 445-460, vol. 19.
- Langer, Polymers and Drug Delivery Systems, *Long-Acting Contraceptive Delivery Systems*, 1983, pp. 23-32, Harper & Row, Philadelphia, PA.
- Langer, New Drug Delivery Systems: What the Clinician Can Expect, *Drug Therapy*, 1983, pp. 217-231.

US 7,217,286 B2

Page 12

Langer, et al., Chemical and Physical Structure of Polymers as Carriers for Controlled Release of Bioactive Agents: A Review, *Rev. Macromol. Chem. Phys.*, 1983, pp. 61-126.

Langer, Polymeric Delivery Systems for Controlled Drug Release, *Chem. Eng. Commun.* 1980, pp. 1-48-vol. 6, Gordon and Breach Science Publishers, Inc. USA.

Langer, et al., Biocompatibility of Polymeric Delivery Systems for Macromolecules, *Journal of Biomedical Materials Research*, 1981, pp. 267-277, vol. 15.

Langer, Controlled Release: A New Approach to Drug Delivery, *Technology Review*, 1981, pp. 26-34.

Langer, et al., Sustained Release of Macromolecules from Polymers, *Polymeric Delivery Systems*, pp. 175-176, Gordon and Breach Science Publishers, New York.

Langer, Polymers for the Sustained Release of Proteins and other Macromolecules, *Nature*, 1976, pp. 797, 263, 799-800, vol. 263, No. 5580.

Baker, et al., Controlled Release: Mechanisms and Rates (1974).

Hanson, et al., In Vivo Evaluation of Artificial Surfaces with a Nonhuman Primate Model of Arterial Thrombosis, *Lab Clin. Med.*, Feb. 1980, pp. 289-304.

Baker, Controlled Release of Biologically Active Agents (1987) pp. 1-275.

Cordis Corporation v. Boston Scientific Corporation (CA. No. 03-27-SLR) and *Boston Scientific Scimed, Inc., v. Cordis Corporation and Johnson & Johnson, Incorporated* (CA. No. 03-283-SLR) Hearing Transcripts for Jul. 21, 2003, Jul. 22, 2003, Jul. 23, 2003.

Cordis Corporation v. Boston Scientific Corporation et al. (CA. No. 03-027-SLR), and *Boston Scientific Scimed, Inc. et al. v. Cordis Corporation et al.* (CA. No. 03-283-SLR), Boston Scientific's Post-Hearing Reply Brief and Exhibits Thereto, Sep. 12, 2003.

Cordis Corporation v. Boston Scientific Corporation et al. (CA. No. 03-027-SLR), and *Boston Scientific Scimed, Inc. et al. v. Cordis Corporation et al.* (CA. 03-283-SLR), Memorandum Order, Nov. 21, 2003.

Cordis Corporation v. Boston Scientific Corporation et al. (CA. No. 03-027-SLR), and *Boston Scientific Scimed, Inc. et al. v. Cordis Corporation et al.* (CA. No. 03-283-SLR), Deposition Transcript of Julio C. Palmaz.

Plea Notes in *EPG et al. v. Boston Scientific et al.* in Netherlands (Sep. 12, 1997).

Provisional Judgment *EPG et al. v. Boston Scientific et al.* in Netherlands (Oct. 29, 1997).

Trial testimony transcripts from the *Cordis Corporation et al. v. Medtronic AVE Inc., et al.* liability trial dated Nov. 6-9, 13-17 and 20-21, 2000.

Jury verdict form from the *Cordis Corporation et al. v. Medtronic AVE, Inc. et al.* liability trial.

Hearing testimony transcript from the consolidated *Cordis Corporation et al. v. Medtronic AVE, Inc. et al.* and *Boston Scientific Corporation et al.* inequitable conduct hearing dated Feb. 7-9 and 12, 2001.

Cordis Corporation v. Medtronic Ave., Inc. et al., OPINION, 97-550-SLR, dated Mar. 28, 2002.

Cordis Corporation v. Advanced Cardiovascular Systems, Inc. et al. (CA. No. 97-550-SLR), *Medtronic AVE, Inc. v. Cordis Corporation et al.* (CA. No. 97-700-SLR), *Boston Scientific Corporation v. Athicon, Inc. et al.* (CA. No. 98-19-SLR), Expert Report of John T. Goolkasian, Esq.

Cordis Corporation v. Advanced Cardiovascular Systems, Inc. et al. (CA. No. 97-550-SLR), *Medtronic AVE, Inc. v. Cordis Corporation et al.* (CA. No. 97-700-SLR), *Boston Scientific Corporation v. Athicon, Inc. et al.* (CA. 98-19-SLR), Expert Report to John F. Witherspoon.

* cited by examiner